00037369

THE
ASIATIC SOCIETY OF BOMBAY
TOWN HALL, BOMBAY-400 023.

Digitized with financial assistance from the
Government of Maharashtra
on 02 April, 2016

THE RIGHT HONOURABLE

THE EARL OF LIVERPOOL,

K. G. &c. &c.

Your humble Servant

Liverpool

London, Published by Saunders & Otley, Conduit Street.

MEMOIRS

OF THE PUBLIC

LIFE AND ADMINISTRATION

OF

THE RIGHT HONOURABLE

THE EARL OF LIVERPOOL,

K.G., &c. &c. &c.

37369
ac

LONDON:
SAUNDERS AND OTLEY, CONDUIT STREET.
1827.

00037369

TO THE RIGHT HONOURABLE

JOHN,

EARL OF ELDON,

THE COLLEAGUE, COADJUTOR, AND FRIEND

OF

LORD LIVERPOOL,

THROUGH THE MOST TRYING PERIOD OF

THE BRITISH MONARCHY:

A STATESMAN OF EQUAL MORAL COURAGE;

A JUDGE OF UNEQUALLED PATIENCE

AND EQUITY:

THIS VOLUME IS

INSCRIBED

WITH UNFEIGNED RESPECT.

PREFACE.

THE Author of the following Memoirs claims only the praise of diligence and impartiality in the execution of what has been to him a very agreeable task.

Beyond verifying a few dates he has not, from feelings of delicacy, in the present state of Lord Liverpool's health, availed himself of private sources of information—but it has been the labour of a considerable portion of time to follow so busy a man as Lord Liverpool through the extended walk of his public life. The chief design of this work is to present a convenient manual of all the great exertions and transactions of that life to his successors. It contains a brief account of every considerable business in which his Lordship was engaged.

Acting with no political party, the Author is not conscious of possessing more than a general feeling of attachment and gratitude to the me-

and measures which have protected the grey hairs and small possessions of his father, and kept open the path of peace and prosperity for his children. He has no knowledge of them but as public men: and has come to his verdict of approval with respect to their system, because in the midst of storms that have threatened us with all evil, it has preserved to us so much of political and personal good.

The Friends of this excellent nobleman will observe that the writer confines himself to Lord Liverpool's Public Life. This, unhappily for the country, must, even in the judgment of friendship, be considered as closed,—while many vital questions in which his Lordship took a decided part, are as yet undecided; while the lessons of his life, and the influence of his noble, upright example, are *immediately wanted.* Such, at least, was the opinion of the writer in sitting down to his task, which has already survived another administration: and this last circumstance will apologise for Mr. Canning being mentioned, p. 15, *et pass.* as our *present* Chancellor of the Exchequer.

CONTENTS.

CHAPTER I.

Lord Liverpool's family.—Memoir of his father, the first Earl of Liverpool.—Alleged "Secret Influence" of his Lordship and other personal friends of his late Majesty.—Lord Liverpool's education.—First Speech in Parliament.—Mr. Pitt's picture of the Financial situation of the Country at that period.—Debates on the Slave Trade.—Mr. Jenkinson's motion.—Debate on it; lost.—Rise and early progress of the French Revolution.—Motion of Mr. Fox to send a minister to Paris, opposed by Mr. Jenkinson.—Death of the King of France.—Hostile measures of the French.—The Convention declares war against Great Britain. . . . . page 1

CHAPTER II.

Mr. Grey's motion for Parliamentary Reform.—Mr. Jenkinson replies to him.—Efforts of France in the War.—Mr. Canning's first appearance in Parliament.—Extract from his first speech.—Mr. Grey condemns our Continental alliances.—Mr. Jenkinson defends them.—In Paris, in 1793.—Major Maitland's motion respecting the failure at Dunkirk.—Mr. Jenkinson's reply.—Replies to Mr. Fox's Resolutions respecting the War.—Mr. Sheridan's conjectures respecting his connexion with Ministers.—Duke of Portland, Mr. Windham, &c. accept office.—Mr. Jenkinson's marriage.—Opening of Parliament, 1795-6.—Lord Castlereagh's first appearance in the English House of Commons.—Mr. Jenkinson's review of the effect of the War on our Commerce.—He becomes Lord Hawkesbury.—Debate on the state of Ireland.—The triple Assessed Taxes.—The Land-tax.—Message of the King recommending a legislative union with Ireland.—Lord Hawkesbury's remarks on Mr. Sheridan's public conduct.—Failure of the Crops, and Parliamentary measures in consequence.—Mr. Tierney's attack on the motives and conduct of the War. 61

CHAPTER III.

General situation of Great Britain at the commencement of 1801.—Question with Russia and the Northern Powers.—Treaty between France and America.—History of the Maritime Rights claimed by England.—Union with Ireland.—First meeting of the Imperial Parliament.—Agitation of the Catholic Question by Mr. Pitt.—Letter of Mr. Pitt to the King.—Mr. Pitt resigns.—Addington Administration.—Debates on the late changes in the Ministry.—Attack upon Copenhagen.—Measures of the new Ministers in regard to Ireland.—Subsidy to Portugal.—Motion of Mr. Jones respecting the Convention of El Arish.—Negotiations for peace with France.—Preliminaries signed on the 1st of October.—Debates on them in Parliament.—Mr. Windham's speech.—Debate on the Convention with Russia.—Treaty of Amiens. . 114

CHAPTER IV.

Claim made on behalf of the Prince of Wales for arrears of the Duchy of Cornwall.—Debate on the Treaty of Amiens.—Dissolution of Parliament.—Aggrandizing measures of France.—Buonaparte complains of the British press.—Lord Hawkesbury's reply to this and other complaints of the French Government.—Prosecution of M. Peltier.—French attack on Switzerland.—Buonaparte's attempt to establish Agents in the British Ports, and to procure plans of them.—Malta not surrendered by Great Britain.—Meeting of Parliament.—Debate on the Address.—On the increase of the Army and Navy.—Gloomy opening of 1803.—Evident approach of a rupture with France.—Buonaparte's conduct to our Ambassador, who returns to London.—British declaration.—Colonel Patten's motion against Ministers.—Lord Hawkesbury called up to the House of Peers.—Mr. Pitt moves the previous question.—Mr. Pitt and Mr. Fox both in opposition to Ministers.—Mr. Addington resigns. . . . . page 177

CHAPTER V.

Mr. Pitt directed to form an Administration.—Endeavours in vain to include Mr. Fox and his friends.—Lord Hawkesbury, Secretary of State for the Home Department.—Additional Military Establishments and Plans.—Mr. Wilberforce renews his Motion for the Abolition of the Slave Trade, and carries it in the House of Commons.—Rejected in the Lords.—Buonaparte becomes Emperor of the French.—War with Spain.—Debate on its Causes.—Lord King's Attack on Ministers.—Resisted by Lord Hawkesbury.—Report of the Commissioners of Naval Inquiry.—Mr. Whitbread's Resolutions criminating Lord Melville.—Mr. Pitt's Conduct on this Question.—The Addingtonian Party votes against Ministers.—Roman Catholic Question debated in both Houses.—Lord Hawkesbury's Speech.—Bishop of Durham's.—King's Message delivered by Lord Hawkesbury.—Grant thereon.—New coalition with Russia, Austria, and Sweden; terminated by the Battle of Austerlitz.—Battle of Trafalgar.—Mr. Pitt's health declines.—Parliament opened in his absence.—Mr. Pitt's Death. . . . 233

CHAPTER VI.

State of Parties.—Offer of the Premiership to Lord Hawkesbury.—He declines it.—Mr. Fox and his Friends come into power.—New Military Arrangements.—Mr. Windham's Limited Service Bill.—Abolition of the Slave Trade.—Lord Melville's Trial.—Negotiations with France.—Meeting of Parliament in December.—Lord Hawkesbury's Speech on the Address.—On the Negotiations.—Mr. Whitbread's Education Bill.—Bill for introducing Catholics into the Army and Navy.—Division in the Cabinet respecting it.—Sentiments of the King.—Ministers dismissed in consequence.—Duke of Portland, Premier.—Lord Hawkesbury, Home Secretary.—Explanations given in Parliament.—Lord Hawkesbury moves thanks to Sir S. Auchmuty.—Parliament dissolved.—New Parliament.—Lord Hawkesbury defends the late dissolution.—State of Europe.—Attack on Copenhagen.—Portugal.—The Prince Regent leaves Lisbon for Brazil.—Berlin Decree of Buonaparte.—British Orders in Council.—The late measures debated in Parliament.—Duke of Norfolk's motion.—Insurrection in Spain.—The Patriots apply for assistance to England.—All Parties agree respecting affording it them.

—New offers to negotiate from France.—Sir John Moore's advance into Spain.—Battle of Corunna.—Lord Hawkesbury becomes Earl of Liverpool. . . . . page 270

CHAPTER VII.

Meeting of Parliament.—Affairs of Spain.—Thanks moved for Lord Wellington's first successes there;—to the surviving commanders at the Battle of Corunna.—Convention of Cintra discussed in the Commons.—Militia Completion Bill.—Colonel Wardle's attack on the Duke of York.—His Royal Highness resigns.—Continental affairs.—Expedition to Walcheren.—Mr. Canning and Lord Castlereagh's duel.—Dissolution of the Portland Administration.—Perceval Administration.—The Continent prostrated before France.—Debates on the expeditions to Spain and Portugal.—On the Walcheren expedition.—Sir Francis Burdett's quarrel with the House of Commons.—Bullion Report.—Conduct of Great Britain to the Spanish Colonies.—Differences with America.—Confirmed illness of the King.—Regency Question.—Division amongst the Members of Opposition.—Situation of Ireland.—Subsidy to Portugal.—Lord Stanhope's Bill on the Currency, adopted by Government.—Campaign in Spain.—Opening of 1812.—Riots in Nottinghamshire.—Debate on the employment of Captain Henry, in America.—The Restrictions on the Regent expire.—Negotiations in consequence.—Assassination of Mr. Perceval. . . . 332

CHAPTER VIII.

Lord Liverpool Premier.—Negotiations that led to this.—Disturbances in the North of England.—Catholic Question.—Orders in Council.—Bill for the relief of Dissenters.—Successes in Spain.—Buonaparte at war with Russia.—Marches to Moscow.—His disastrous retreat.—Election of a new Parliament.—Debates.—Grant to Russia.—Rupture with America.—Marquess Wellesley's attack on Ministers.—Mr. Vansittart's alteration of the Sinking Fund.—Curates' Bill.—East India Company's new charter.—Treaty with Sweden debated.—Lord Wellington invades the South of France.—Battle of Leipsic.—Progress of the war in America.—Subsidies to the Continental Powers.—The Allies invade France.—The Bourbons restored.—Lord Grey's motion respecting Norway.—Lord Grenville's on the Slave-trade.—Parliament prorogued.—Visit of the Allied Sovereigns to England.—Debates respecting the War with America.—Peace with America. . 413

CHAPTER IX.

Universal Peace.—Observations in Parliament respecting the annexation of Genoa to Sardinia.—The Corn Bill of 1815.—Buonaparte returns from Elba.—Declaration of the Allied Powers against him.—New treaty of the Powers.—Message to Parliament.—Lord Liverpool's explanatory speech.—Marquess Wellesley censures Ministers on the subject of his escape.—Lord Liverpool's reply.—Warlike movements on the Continent.—The Allies determine to invade France.—British supplies and forces.—Battle of Waterloo.—Lord Wellington and Marshal Blucher proceed towards Paris.—Convention of Paris.—Louis XVIII. resumes the Government.—Buonaparte surrenders to Captain Maitland.—He is brought into Torbay.—Sent to St. Helena.—Conduct

of Ministers defended.—Final treaty between the Allies and France.—Opening of 1816.—Debates on the Peace Establishment.—On the treaties with Foreign Powers.—The Holy Alliance.—Marriage of the Princess Charlotte.—Mr. Grenfell's motion respecting the Bank.—Bank Restriction Act renewed.—New Silver Coinage Bill.—Agricultural and other distresses.—Outrage on the Prince at the opening of Parliament, 1817.—Bills for suspending the Habeas Corpus Act, &c.—Catholic Question.—Farther Suspension of the Habeas Corpus Act.—Stability of the Administration.—Death of the Princess Charlotte. . . . . page 491

CHAPTER X.

Opening of Parliament, 1818.—Observations on the Bank Restriction Bill.—Indemnity Bill proposed by Ministers.—Debates thereon.—Grants to the Royal Dukes on their Marriages.—The Alien Bill renewed.—Bill for erecting additional Churches.—Alterations in the Regency Bill.—Bank Restriction continued.—Allied troops withdrawn from France.—Death of the Queen.—New Parliament.—Duke of York made Custos Personæ.—Other arrangements in the Royal Family.—Consolidated Fund Produce Bill.—Roman Catholic Question.—Riots at Manchester and other places.—The Lord Chancellor's Traverse Bill.—Death of George III. 535

CHAPTER XI.

Accession of George IV.—Ministers reinstated.—Dissolution of Parliament.—New Parliament meets in April.—Sir James Mackintosh's alterations of the Penal Law.—Lord Stanhope's proposals for alleviating the Mercantile Distresses.—Lord Liverpool's reply.—His speech on Foreign Commerce.—Arrival of the Queen, and its consequences.—Subject of the Foreign Trade renewed.—Motion of Earl Grey respecting Naples.—Mr. Plunkett's Catholic Bill.—Cash Payments Bill.—Death of Lady Liverpool.—Preparations for the Coronation.—Queen's Application thereon.—Coronation.—Queen's Death and Funeral.—First meeting of Parliament in 1822.—Lord Liverpool on the Agricultural Distresses.—On the state of Ireland.—On the Catholic Peers *Bill*.—On the trade with the Spanish Colonies.—On the revolt of the Greeks.—Death of Lord Londonderry.—Second Marriage of Lord Liverpool.—Opening of 1823.—Conduct of France and the Allies respecting Spain. . 563

CHAPTER XII.

King's Speech on the opening of Parliament, 1824.—Lord Liverpool's Speech.—Debate respecting the South American States.—Concessions to the Catholics.—Alien Bill finally renewed.—Catholic Association of Ireland.—Bill for putting it down.—Catholic Bill of 1825.—Declaration of the Duke of York.—Speech of Lord Liverpool.—Mercantile Distresses.—Parliamentary Measures in consequence.—Relaxation of the Navigation Laws.—The new Alien Act.—Resolutions respecting the West India Colonies.—Corn Question.—Christmas recess.—Death of the Duke of York.—Meeting of Parliament in February 1827.—Address of Condolence moved by Lord Liverpool; and Address for an increased Allowance to the Duke of Clarence.—Lord Liverpool's sudden and alarming illness. 613

MEMOIRS

OF

LORD LIVERPOOL,

&c. &c.

CHAPTER I.

FIRST APPEARANCE IN PARLIAMENT.

Lord Liverpool's family.—Memoir of his father, the first Earl of Liverpool.—Alleged "Secret Influence" of his Lordship and other personal friends of his late Majesty.—Lord Liverpool's education.—First Speech in Parliament.—Mr. Pitt's picture of the Financial situation of the Country at that period—Debates on the Slave Trade.—Mr. Jenkinson's motion.—Debate on it; lost—Rise and early progress of the French Revolution.—Motion of Mr. Fox to send a minister to Paris, opposed by Mr. Jenkinson.—Death of the King of France.—Hostile measures of the French.—The Convention declares war against Great Britain.

THE lives of public men have, in all civilized States, been considered a species of public property. The events by which they are marked are the epochs of their country's history; and the character of such men can only be delineated in

connexion with the institutions, the opinions and the changes of their times.

In our own country, in particular, the *value* of this kind of property has been duly estimated by the public. It is this which has thrown open the doors of Parliament, and the deliberations of the Cabinet, sooner or later, to every man in the empire, for the last fifty years. We have felt that our constitution has a practical efficiency as yet unparalleled in any other country, for we have watched its minutest operations: our most distinguished public men have laboured throughout life, as it were, in a glass bee-hive. We have thus, at once, seen what men, misled by visionary schemes of refinement, will attempt; and what men of sound intelligence and individual firmness and consistency can perform. While we have been led to venerate the fundamental principles of the constitution for their connexion with the earliest and brightest periods of our history, we have seen how capable they are of being adapted to the existing circumstances of the world; of modifications in detail, in the hands of upright statesmen, without farther revolutions; and of vigorous application in times of danger to the protection of all that is dear to civilized man.

The public life of Lord Liverpool extends through the greater part of the last half-century. It must be allowed to be a matter of fact, that

his long administration of the public affairs has been marked by a singular consistency and personal steadiness in the pursuit of what he thought the right course; it is marked therefore by unusual claims to public integrity and incorruptibility. During this period, principles opposite to his own have had their price; popular favour has often smiled upon them; and the "men *of* the people" have made unwearied, and not always unsuccessful efforts to secure a triumph for them in the highest quarters. But Lord Liverpool, as it has been well remarked of his great predecessor and exemplar, Mr. Pitt, was "a man *for* the people." He could distinguish the people from the populace; he laboured for the best interests of all, while he held himself indifferent to the momentary opinions of the many; and he won the confidence of the people at last by commanding their respect. When finally removed by the act of God's Providence from his elevated sphere, who desired or expected the dismissal of his Lordship? Not his Prince. He has condescended to honour a similar faithful servant of the monarchy with the title of the King's "friend." Not his coadjutors in the public service. They were united by his influence, and have recorded the strength of it in the extent of their separation. Not Opposition as a party, for in truth among the various and active public men not in

power, there never was so little combination, never so much of individual approval of the measures of the Government: while, as we have intimated, the pillars of his fame and power rested on the broad basis of the public opinion and approval, just at the time when the public, as his political opponents would contend, have become most enlightened; and when, as all parties must admit, the understanding of their rights has become better qualified in all ranks by the knowledge of their duties.

Lord Liverpool, on his entrance into public life, had some unusual advantages. He was the only son of Charles, the first Earl of Liverpool, then Mr. Jenkinson, by his first lady, Amelia, daughter of William Watts, Esq. a former governor of Fort William, Bengal, and was born June 7, 1770.

His family, though thus recently ennobled, had at this period been respectably settled at Walcot, near Charlbury, in Oxfordshire, for above a century: his father's great grandfather, Sir Robert Jenkinson, the first baronet, and the second, third, and fourth baronets having represented that county in Parliament. The letters patent of the baronetage are dated May 18, 1661: it descended to the first Lord Liverpool in 1789, after he was Lord Hawkesbury, as the heir male of Colonel Charles Jenkinson, third son of the second baronet.

CHARLES JENKINSON, Esq. M. P. when he became the father of the subject of this memoir, had been in Parliament about nine years. He was educated at the Charter-house, and at University College, Oxford, where he took his degree of M. A. in 1752. He printed "Verses on the Death of Frederick Prince of Wales," which excited some attention; and in 1756 published "A Dissertation on the Establishment of a Natural and Constitutional Force in England, independent of a Standing Army." This was followed (1758) by "A Discourse on the Conduct of Government respecting Neutral Nations." Mr. Jenkinson is also said to have been a contributor to the early numbers of the Monthly Review. But the connexion of his family with the representation of Oxfordshire inducing him to take an active part in promoting the return of Sir Edward Turner, of Ambrosin, as knight of the shire for that county, he obtained through this circumstance an introduction to the Earl of Bute; and in March 1761 we find him one of the Under-secretaries of State. He came into Parliament in the general election of the same year for the borough of Cockermouth.

In 1763, when Lord Bute was at the head of the Administration, Mr. Jenkinson was appointed to the confidential office of Joint Secretary to the Treasury, and participated with that nobleman the marked and personal attachment of his late

Majesty. On Lord Bute's sudden retirement he became one of the most conspicuous members of a party, often denominated, in envy, "the King's friends." Mr. Jenkinson ever considered the imputation this seemed to convey as his honour.*

* Bishop Tomline, in the early part of his Life of Mr. Pitt, has brought together some interesting facts and reflections on this once important topic of a Secret Influence. "The idea," he says, "was first mentioned in an early part of the late reign, when changes in administration were frequent; and seems to have originated with those, who were conscious of not enjoying the royal favour, from a desire of exciting a popular cry against their more fortunate rivals. It obtained a certain degree of credit, and was resorted to, in some cases, with considerable effect. *There is, however, no reason to think, that there were in reality any such persons.* Lord North during this contest acknowledged that, while in his Majesty's service, he never experienced any private controul or interference in the measures of government; and Mr. Pitt, not only during this contest, but also towards the end of his life, made the same declaration. And as the administrations of Lord North and Mr. Pitt extended over a period of more than thirty years, it is incredible that any influence of the nature alluded to, had it existed, should have escaped their notice. Short possessors of power were the persons who complained of secret influence; and they could not attribute their dismissal from office to a cause less wounding to their pride."

The Bishop afterwards asks—"If secret advisers did exist in the late reign, who were they? Persons of their consequence could not long have remained unknown. There must also have been a succession of them, in the course of fifty years. The favourites of princes are soon detected by the jealous

The accession of the Rockingham administration to power in 1765 induced him to resign his public appointments; but he was, at about the same period, nominated Auditor of the accounts of the Princess Dowager of Wales, an office which he held much to the satisfaction of the Royal Family, until the death of Her Royal Highness. In 1766 he was appointed by the Grafton administration, at the suggestion of Lord Chat-

eye of rival candidates, and are drawn into notice by riches, or honours, or some public mark of royal favour. Nothing of this kind occurred in the long reign of his late Majesty. We may, therefore, consider secret influence as a 'bugbear,' as 'the catchword of a party, to amuse the credulous vulgar, and to raise discontent against the sovereign and certain individuals,' and 'as disbelieved even by those who were most clamorous upon this subject.'" In a note he adds, "The late Lord Chatham not long before his death, having imputed to the secret influence of Lord Bute those counsels which 'had brought the King and kingdom to ruin,' Lord Mountstuart, in the published letter already noticed, and dated October 24, 1778, speaking of his father Lord Bute, writes thus:—He does therefore authorize me to say, that he declares on his solemn word of honour, he has not had the honour of waiting on his Majesty, but at his levee or drawing-room, nor has he presumed to offer any advice or opinion concerning the disposition of offices, or the conduct of measures, either directly or indirectly, by himself or any other, from the time when the late Duke of Cumberland was consulted in the arrangement of a Ministry in 1765, to the present hour."—*Memoirs of the Life of the Right Hon. William Pitt*, vol. i. p. 332.

ham, a lord of the Admiralty: a fact which demonstrates that whatever was the degree of confidence with which he was honoured by the King, it furnished to an upright and efficient minister no just grounds of jealousy. In September of the following year he became a Lord of the Treasury.

The practical and solid acquaintance with the business of the State, which Mr. Jenkinson thus obtained, opened to him gradually its higher offices. Under Lord North new honours awaited him. He was in 1772 appointed one of the Vice-Treasurers of Ireland; at which time he first took his seat at the Council-board; and in 1775 was allowed to purchase the patent place of Clerkship of the Pells in Ireland. The same Administration selected him with great judgment to succeed Lord Cadogan, as Master of the Mint: it was an office involving various topics of inquiry, and of great public interest, into which no man ever entered with more warmth and effect. We shall find him returning to them in the retirement of his age with unabated ardour. In 1778, he became Secretary at War; and during the last year of the unfortunate contest with America, had the arduous task accorded to him of carrying the Army Estimates through the House of Commons.

The remaining events of his political life con-

nect Mr. Jenkinson with the measures of that distinguished young statesman, whom he at this period first encountered in the ranks of Opposition, the late Right Honourable William Pitt. At twenty-three years of age, that statesman succeeded to the post of chief finance minister, when the resources of the country had been completely exhausted by a protracted and expensive war; but during his first official engagement in connexion with Lord Shelburne, Mr. Jenkinson seems to have been the silent admirer of Mr. Pitt's great powers, having resumed at this period those literary pursuits, for which he showed an early predilection. In 1783, on Mr. Fox making some severe remarks in the House of Commons on the conduct of the King respecting the India Bill, we find Mr. Jenkinson replying to him. He afterwards spoke but little in that House; but voted generally with the new ministers. In the year above-mentioned, he became a member of the Board of Trade.

In 1785, appeared his "Collection of all Treaties of Peace, Alliance, and Commerce, between Great Britain and other Powers, from the treaty of Munster, in 1648, to the Treaties signed at Paris in 1783," 3 vols. 8vo.

In 1786 the valuable appointment of Chancellor of the Duchy of Lancaster being vacant, the minister readily met the King's desire, that it

should be bestowed on Mr. Jenkinson, who was at the same time called up to the House of Lords as Baron Hawkesbury of Hawkesbury, in the county of Gloucester, and appointed President of the committee of council for the affairs of Trade and Plantations. The commerce of the country, we may here observe, was always a prominent object of his Lordship's attention. He is said personally to have drawn up the Commercial Treaty with America; and to have first directed the attention of Government to the importance, and greatly to have facilitated the establishment, of the South-Sea fishery. When the baronetage of the elder branch of the family devolved on him (22d July, 1789,) at the death of his cousin, Sir Banks Jenkinson, his good fortune enabled him to secure the continuation of the patent place of Collector of the Customs Inward, which that relative had enjoyed.

His personal honours were completed in 1796, by his advancement (May 28) to the dignity of Earl of Liverpool: on the 23d of July following he obtained the royal authority to quarter the arms of the borough of Liverpool on his family shield.

His Lordship married twice while Mr. Jenkinson, his first Lady dying in July 17, 1770, the month following that in which she gave birth to the subject of this work—ROBERT BANKS JENKINSON. His second wife was Catherine, daughter

of Sir Cecil Bishop, of Parham, Sussex, and widow of Sir Charles Cope, Baronet, of Orton Longueville, by whom he had issue, a son and daughter; the Hon. Charles Cecil Cope Jenkinson, M. P. for Sandwich, and Lady Charlotte Jenkinson, who married James Walter, Lord Forrester and Grimstone, afterwards Earl Verulam.

The first Lord Liverpool, after the possession of his earldom, rarely quitted the shade of a dignified retirement; but whenever he spoke in the House of Peers, the extent and accuracy of his information, particularly on commercial topics, always procured him the marked attention of their Lordships.

In the debate on the Duke of Bedford's motion, 15th May, 1797, relative to advances made by the Bank to Government, his Lordship defended at considerable length the measures of the administration, and the constitution and conduct of the Committee which had been appointed to report on the Suspension of Cash Payments. He also spoke in defence of the Assessed Taxes Bill, in January 1798; and in the debate, June 11, 1799, on the Subsidy to Russia. On this occasion, Earl Fitzwilliam wished, by an amendment on the Address, to pledge the nation to continue the war for the general deliverance of Europe "from the French Republic." The amendment

was curious from such a quarter; and occasioned Lord Liverpool to observe, that such an avowal, under the present circumstances of the country, would, he thought, "be at least indiscreet and very impolitic, as tending to fetter the exertions of the executive Government, and involving a question of particular terms of pacification, which it was evident must depend upon contingencies and events, which no man could with any degree of certainty foretel. He considered it very premature to declare, that in no case war shall terminate, until a specific form of government shall be adopted in France."

He expressed, however, his approbation of the rejection of the first overture for peace from the Consular government; and addressed the House of Lords, for the last time, in the debate on the King's Message respecting an Union with Ireland, April 30, 1800. Lord Holland on this occasion moved, "That the Committee of the House on the Message should likewise consider the acts which disqualified Roman Catholics from sitting in Parliament;" when our venerable Peer said, "The motion related to a subject which involved a complexity of considerations and interests. It should, therefore, not be introduced collaterally, but met directly, and with the aid of the various information that might be expected from the Imperial Parliament. *The two acts to which the*

noble mover had alluded were the main foundation on which rested the present establishment in Church and State."

In 1805, he addressed an able Letter to the King, on the Coins of the Realm, one vol. 4to. The Edinburgh Reviewer describes this work as containing "a concise and luminous statement of almost all the facts that deserve our notice in the history of the British coinage;"—"a considerable body of information upon this interesting topic, derived from original sources, to which few authors can have access;" and "some counsels relative to the farther reformation of the circulating medium, which highly merit the consideration of the exalted personage to whom the tract is addressed." "It is, indeed;" adds this writer, "pleasing to find one who must necessarily have been bred among the exploded doctrines of the elder economists, shaking himself almost quite loose from their influence at an advanced period of life, and betraying, while he resumes the favourite speculations of his early years, so little bias towards errors which he must once have imbibed. It is no less gratifying to observe one who has been educated in the walks of practical policy, and grown old amidst the bustle of public employments, embellishing the decline of life by pursuits which unite the dignity of science, with the usefulness of active exertion."

His Lordship thus touchingly apologises for the imperfections of this piece: "At this period (1800,) I was seized with a violent disease, which has now confined me to my house, and generally to my couch, for more than four years: unable to hold a pen, or to turn the leaves of a book, from which I might derive information. At intervals, however, when I have of late providentially obtained some respite from pain and extreme weakness, I have endeavoured to revise so much as I had before occasionally written; to arrange other materials previously collected; and to reduce the whole to a form not unfit for perusal. A treatise written on so abstruse and complicated a subject, by one exposed to great infirmities, must contain some repetitions, slight inaccuracies, and other imperfections. Arrived, as I now am, on the verge of life, I hasten to present what I have thus written, though not exempt from errors, to your Majesty, as my last service,—if it shall deserve that name; in grateful remembrance of the generous protection, which your Majesty has never ceased to afford me, and of the many, and great favours, which you have graciously conferred upon me."

To the period of his death, which took place December 17, 1808, Lord Liverpool possessed the undiminished personal esteem of his Royal Master.

The heir of his Lordship's honours was also educated at the Charter-house. He was a pupil of Dr. Beardmore's; and completed his education at Christ Church, Oxford, where he took his degree of A. M. in 1790.

By his father, his education was watched over and directed with an anxiety perhaps not uncommon: but also with the great advantage of specific views in respect to his future establishment. As the eldest son of a peer of the greatest personal influence with the crown, his destination to the highest offices of the state was never equivocal; but no man ever practically felt and exemplified more than that peer, the importance of early and solid acquirements: and when, at the period of his first advancement to the peerage, his own station in the state had become equally firm and commanding, no parent ever had the happiness to see, in a youth of sixteen, a more hopeful union of sound historical and political knowledge, with upright and truly English principle, than now appeared in this his eldest and favourite child.

At college Mr. Jenkinson was the companion and friend of his present successor in the premiership, Mr. Canning: a circumstance to which Mr. Moore and others have attributed the secession of the latter from the political faith in which he had been educated under the eye of Mr. She-

ridan.* The friendship thus early commenced was certainly of an unusually permanent character, and had more than once a very important influence on Mr. Canning's public life.

Mr. Jenkinson first took his seat in the House of Commons for Rye, in Sussex, in the first Session of the seventeenth Parliament of Great Britain, which was opened on the 25th of November, 1790, a few months, therefore, before he had attained his majority.

His first speech, delivered on the 27th of February, 1792, is said to have excited uncommon attention in the House. Great Britain had at this time mediated a peace between the Empress Catherine of Russia and the Porte, supporting her interference by an armament. The negotiations had been prolonged; Opposition had sent to St. Petersburgh a confidential agent, Mr. Adair, the relative of Mr. Fox, to conduct a conflict with the measures of the Minister on the new arena of a foreign court; and had divided the House several times in the preceding Session, supported by large and increasing minorities. On the opening of Parliament this year, the principal censures of Mr. Grey, Mr. Fox, and Mr. Whitbread, were directed against the conduct of ministers in those negotiations.

* Moore's Life of Sheridan, vol. ii. p. 243.

The last of these distinguished leaders reprobated, in terms of great indignation, the temerity of ministers, in lavishing the nation's money with such profusion, for an object wherein neither equity nor policy could justify their interference. It was plain that the Turks were the aggressors in the present war between them and Russia: while, as he contended, the possession of Oczakow, either by the Turks or the Russians, was a consideration wholly foreign to the political or commercial interests of Great Britain. It could not, therefore, be the real cause of the protraction of this ruinous war: some latent motive kept its conclusion at a distance. The issue of our unjust and dishonourable interference was an expensive armament; and an arrogant conduct had not prevented the Government of this country from submitting to the condition prescribed by Russia, with a degree of implicitness not hitherto recorded in our transactions with foreign powers. Mr. Whitbread moved a resolution on these premises, "That Oczakow was not of sufficient importance to warrant the armed interference of Great Britain:" which was seconded by Colonel Macleod.

Our young statesman took the lead in the advocacy of the measures of Government on this occasion, and ably resisted the motion of Mr. Whitbread. We shall insert his speech, slightly

abridged from the "Parliamentary History" of the debate, as exhibiting the ample stores of his mind even at this early period of life.

"He rose," he said, "for the purpose of objecting to the resolutions moved. He felt himself obliged to the honourable gentleman who had made them, as, in doing so, he had afforded an opportunity of clearing away misrepresentation, as the question would thereby be fairly met, and fully discussed. That measure which, considered singly, and by itself, might appear wrong, when regarded relatively, would often be found to have been just, wise, and necessary. It should be his endeavour to prove that the system taken up by Administration, and the principles upon which they acted, had been such as were dictated at the time by the wisest and soundest policy. We were bound to consider France as our natural rival; we ought to keep Holland, our natural ally, from falling into her hands; to obtain, by Continental alliances, a sufficient land force to protect Holland, and, upon every occasion, to divide the power of France. These principles admitted, the question would be, to what powers were we to look to form alliances with? Statesmen had in general agreed, that it would be wise to form an alliance with Germany against France; but to this there were many apparently insuperable difficulties, and among them, the different

jarring interests, which altogether defeated the view of forming an alliance with the empire collectively. In looking at the German powers separately, it would be observed that there was such an equality of the powers of Brandenburgh and Austria, as to make the choice optional. With which of these leading powers was it prudent to form an alliance? The dissensions in the Netherlands, and the connexion of Austria with France, rendered an alliance with her impolitic: but the connexion of Prussia with Holland, and the interest we had in Holland, clearly pointed out the wisdom of choosing Prussia. If, then, that treaty, already sanctioned by the House, was advantageous to this country, it certainly would be wise to prevent Prussia from falling into a situation, in which she would be rendered less capable of affording effectual aid in times of necessity, than that in which she stood when we formed an alliance with her. It was therefore necessary to support Turkey as a check upon Austria: for as long as the Porte maintained its consequence, so long would Prussia be to us an eligible ally. France, when she considered Austria as her rival, had ever deemed it politic to preserve an alliance with Turkey, well knowing that the Ottoman power would operate as a check on her rival, and tend to control her conduct. When, therefore, Austria was allied with

France, Turkey immediately became our natural ally."

Mr. Jenkinson now requested the House to consider in what a dreadful state the affairs of Turkey had been prior to our interference. He reminded them that "the support of Turkey was involved in our alliance with Prussia; that our interference was therefore necessary, and almost unavoidable; for if no such interference had taken place, Prussia, by her alliance with us, would have been exposed to Austria and France, and have been rendered unable to afford us the least assistance. Had war taken place between England and France, Austria would have occupied the whole attention of Prussia; but by Turkey being supported, she would weaken the force of Austria, or create a diversion in that quarter, and Prussia would be left at liberty to aid us by the whole, or by a considerable portion of her strength. He would," he said, "very readily admit that France was not now in a situation to occasion any alarm; he would admit that she was at present in the most distracted situation; but was it likely that she would long continue in such a state? Was it not more probable that she would shortly be in possession of a settled and effective government? Possibly her ancient arbitrary government might be restored; and in that case she would once more be a powerful

rival, and we should again have occasion to dread those intrigues which had ever been attached to its cabinet, and which had hardly ever suffered Europe to remain in peace. Perhaps she would obtain a moderated and free government; and then, though less fear might be apprehended from intrigue, more would be to be dreaded from her power. Had our Administration endeavoured to excite the divisions of France, he would not have been the last to have censured them. By cultivating the friendship of the French, instead of provoking and fomenting their indignation and aversion, we should advance our national interest; but he considered it as the duty of Ministers, and the policy of Great Britain, to take the advantage of her present debility, by promoting treaties with Continental powers that might add to our strength, and secure us against all eventual danger. The alliance with Prussia presented itself as the first and principal step to our Continental connexion. Prussia, when Holland was endangered, marched an army into that country for its preservation from the grasp of France, and for the maintenance of our interest in the safety of the States. Prussia was as much endangered by the progress of the Russian and Austrian arms against the Porte, as we had been by the attempt to overrun Holland. As Prussia came forward on that occasion for our interest,

we were bound in honour to come forward on the late one in support of the interest of Prussia."

Mr. Jenkinson then observed, "That it had been asserted that the Turks had been the aggressors in the war with Russia. He granted they were so; but if it should be proved, that their actual commencement of hostilities was occasioned by strong provocation on the part of Russia, he trusted that the justice and propriety of their conduct would not be disputed. He then took a review of the conduct of the Empress in regard to her obtaining the Crimea; her promoting a rebellion in Egypt; her laying claim to Bessarabia, Wallachia, and Moldavia; and the repeated concessions to which she compelled the Porte to agree. With regard to the armament, it was," he said, "instituted for the purpose of obtaining the best possible terms of peace for the Porte, endangered as she was. In proposing terms of peace to nations, it was necessary to consider on whose side the justice and success of that war was. In the present instance, all the justice was to be found on the one side, and all the success on the other. The terms, therefore, most likely to conciliate, were those founded on the *status quo:* and though those precise terms were not obtained, it could not be denied that the Empress had lowered her terms as soon as she became acquainted with the interference of Eng-

land. What had again produced the Russian peace with Sweden? The interference of the British court. Russia wisely foresaw that she was not able to carry on a war against Great Britain, Sweden, and Turkey, at the same time, and therefore granted to Sweden all the terms of the *status quo*. Hence arose benefits that were laudable by enforcing peace among the European powers. It had been advanced as a wise maxim, that, for the sake of the balance of power, the Russian empire should not, if possible, be allowed to increase; nor that of Turkey to diminish. To support Prussia and Turkey, by confirming the truth of this doctrine, the armament had been proposed; and the address of Parliament justified the proceeding. Opposition arrogated to themselves considerable merit from the struggle which they had made against Ministry; but had all been firmly united, had there been no factious party in this country, Russia would not have dared to have resisted our demands.

"It was, however, contended, that, immediately upon Russia's claiming Oczakow, and the district between the Bog and Dniester, our armament ought to have ceased; and those terms ultimately obtained, should at first have been admitted. This," he maintained, "would have been grossly impolitic and unwise; inasmuch as to have given better terms to Russia than to Aus-

tria, when both were equally situated, might have given occasion to the Emperor, who never was remarkable for good faith, to have seized the opportunity of refusing to fulfil his engagements; the consequence of which would have been, that the Turks would again have been involved in a double war, and this country exposed to the ridicule of Europe, for not having gained, by our interference, a single advantage for the power whose interest we had espoused. When Government had obtained such advantageous terms for the Turks from Austria, their policy was naturally to secure peace upon those conditions. The only means of effectually securing it was, by acting fairly towards the Emperor, and this could only be done by demanding the same terms from Russia which he had acceded to; as Oczakow was, moreover, a place of considerable importance in the hands of the Turks, it could be only a place of defence: in the hands of Russia, it might be a place of offence. It was particularly for our interest to keep it, if possible, out of the hands of Russia. He was confident that had it not been for the division in that House, and for the divisions promoted out of the House, the Empress would not have contended for the terms she ultimately did contend for. A comparative view of the commerce of the two countries would confirm this opinion. The goods imported from Russia into

Great Britian were more than double the quantity imported from Great Britain into Russia. What Great Britain received from Russia, she might get from other countries; what Russia sent to Great Britian, she could send nowhere else. To his knowledge, all Petersburgh was in a consternation for some hours on first hearing the news of our armament; nor was the panic dispelled till the arrival of dispatches from Count Woronzow, which probably gave an account of the division in the House of Commons, and the divided opinion of the people on the subject. The gentlemen opposite had not, as they had boasted, saved their country from a war, but had prevented a successful termination to the negotiation." He finally justified Administration, in ultimately admitting the cession of Oczakow, which they at first opposed, upon the ground, that that policy might be wise, when a war was uncertain and success probable, which might not be wise when success was doubtful and war certain. He said he was one of those who thought that the public opinion out of the House ought to be attended to, and admitted that upon the present occasion, Ministers might, consistently with their duty, act upon such opinion. There were cases, however, in which, by acting in conformity to public opinion, they might occasion to their country much mischief, and among

those cases would be that of a breach of treaty. In reply to the charge against Administration, of not having disarmed as soon as the proposals of the Empress were made known," he said, "we should not then have obtained any modification. She certainly was not bound by her last proposals, they having been rejected when first offered to us; nor would she have obtained them, had she not have been enabled to avail herself of a division and a party in this country. In the course of the negotiation, the Empress obtained three great victories over the Turks; it ought, then, to be matter of joy that she did not avail herself of these victories and of our divisions, to increase her demands. In reply to what had been advanced relative to the article for the free navigation of the Dniester not having been inserted in the treaty of peace," he said "he could not advance any thing, not having yet seen the treaty; but he conceived the declarations of the Empress in her notification to be equally binding. The freedom of the navigation of that river, he could not think so slightly of as some gentlemen; to him it appeared of much future importance. Poland, since her revolution, was likely to become a power of no inconsiderable consequence; her commerce was likely to be extended, and the Porte might consider it advantageous to form an alliance with her; the service of the free navigation of that river would

then be no longer doubted." Referring again to the interference of this country," he said, "it was not taken up for the purpose of merely interfering in the war, but to prevent the ruin of Turkey, and the consequent injury of an ally.

"It had been asked, whether we were bound by treaty so to have assisted Prussia? He would admit that we were not; neither was Prussia bound to assist us by treaty in preventing Holland from falling under the attempt of France. The principle in both cases was the same, it was a mutual and an honourable attention to the interests of each other." He said, "it was the duty of his Majesty's Ministers to watch with a jealous eye every change in the affairs of the Continent, and strongly to maintain the balance of power, which, though it might not accord with the opinions of many of the present time, was an attention founded both in policy and in justice: a policy, which, had it been adopted by Charles II. and his ministers, would have prevented the long and bloody wars in the time of King William and Queen Anne. He thanked God, the present times were not favourable to wars of ambition and conquest; they were now justly reprobated throughout Europe; but in England, above all other countries, it was right they should be reprobated, for on peace our greatness as a nation completely and almost wholly depended; the in-

terest of the country rested on permanent peace. He requested gentlemen, therefore, to consider what had been gained by the interference of Administration; and to remember what was the state of Europe, and what the probable future increase of wars, previous to the interference of Prussia and England; and then to compare the small expense of obtaining the peace of Europe, with the great increase of our revenue, occasioned by the tranquillity in consequence of that peace. He trusted, that when gentlemen examined into the subject, they would find that his Majesty's Ministers would not merit blame and condemnation, as having acted imprudently, or as bad men: on the contrary, he trusted that that which they had originally proposed, was proved to have been right; that what they had obtained had been considerable; and that, had the Minister possessed the confidence of the other side of the House, as he had obtained that of the side on which he sat, his object would have been more completely gained, inasmuch as his negotiation would have been more successful, and more effectual."

It was in this month of Lord Liverpool's first appearance as a speaker in the House of Commons (such are the singular revolutions and coincidences of human affairs,) that Mr. Pitt delivered that memorable speech on the Financial

prospects of the Nation, quoted but a few weeks since by Mr. Canning in that House, as descriptive of his own feelings and prospects on becoming Chancellor of the Exchequer; and by consequence, of our financial situation at the close of Lord Liverpool's public life.

All philosophy is prophetic: the simple yet profound principles of this speech, so absolutely historical of the fluctuations of our affairs, during its great author's own premiership, as well as of the glorious results to which a perseverance in those principles finally led—results with which Lord Liverpool is in every way identified—will render a short extract from it very appropriate in this place.

Mr. Pitt had been submitting his calculations of finance to the House, and he now entered upon a philosophical investigation of the causes which had produced effects so beneficial. "The first and most obvious notion, which every man's mind would suggest to him was," he said, "that they arose from the natural industry and energy of the country: but what was it which had enabled that industry and energy to act with such peculiar vigour, and so far beyond the example of former periods? The improvement which had been made in the mode of carrying on almost every branch of manufacture, and the degree to which labour had been abridged, by the invention

and application of machinery, had, undoubtedly, had a considerable share in producing such important effects. There had also been seen, during these periods, more than at any former time, the effect of one circumstance, which had principally tended to raise this country to its mercantile pre-eminence—that peculiar degree of credit, which, by a two-fold operation, at once gave additional facility and extent to the transactions of our merchants at home, and enabled them to obtain a proportionable superiority in the markets abroad. This advantage had been most conspicuous during the latter parts of the periods referred to; and was constantly increasing, in proportion to the prosperity which it contributed to create. In addition to these causes, the exploring and enterprising spirit of our merchants had been displayed in the extension of our navigation and our fisheries, and the acquisition of new markets in different parts of the world.

"But there was still another cause, even more satisfactory than these, because it was of a still more extensive and permanent nature; that constant accumulation of capital—that continual tendency to increase, the operation of which was universally seen, in a greater or less proportion, whenever it was not obstructed by some public calamity, or by some mistaken and mischievous policy; but which must be conspicuous and rapid

indeed, in any country which had once arrived at an advanced state of commercial prosperity." Simple and obvious as this principle was, and felt and observed as it must have been, in a greater or less degree, even from the earliest periods, Mr. Pitt doubted, whether it had ever been fully developed and sufficiently explained; but in the writings of an author of our own times, (Dr. Adam Smith, in his Treatise on the Wealth of Nations,) whose extensive knowledge of detail, and depth of philosophical research, would, he thought, furnish the best solution to every question connected with the history of commerce, or with the systems of political economy. This accumulation of capital arose from the continued application, of a part at least, of the profit obtained in each year, to increase the capital to be employed in a similar manner, and with continued profit, in the year following. The great mass of the property of the nation was thus constantly increasing at compound interest; the progress of which, in any considerable period, was what, at first view, would appear incredible. Great as had been the effects of that cause already, they must be greater in future; for its powers were augmented in proportion as they were exerted—

Mobilitate viget, viresque acquirit eundo.

"It might, indeed, as we had ourselves expe-

rienced, be checked or retarded by particular circumstances;—it might for a time be interrupted, or even overpowered; but, where there was a fund of productive labour and active industry, it could never be totally extinguished. In the season of the severest calamity and distress, its operations would still counteract and diminish their effects; —in the first returning interval of prosperity, it would be active to repair them. If a period of continued tranquillity were looked to, the difficulty would be to imagine limits to its operation. None could be found, while there existed at home any one object of skill or industry short of its utmost possible perfection; one spot of ground in the country, capable of higher cultivation and improvement; or while there remained abroad any new market that could be explored, or any existing market that could be extended. From the intercourse of commerce, it would, in some measure, participate in the growth of other nations, in all the possible varieties of their situations. The rude wants of countries emerging from barbarism, and the artificial and increasing demands of luxury and refinement, would equally open new sources of treasure, and new fields of exertion, in every state of society, and in the remotest quarters of the globe.

"It is this principle, which I believe," said he, "according to the uniform result of history and

experience, maintains on the whole, in spite of the vicissitudes of fortune, and the disasters of empires, a continued course of progressive improvement in the general order of the world."

In the debates respecting the Slave Trade, we regret to find Lord Liverpool opposing the Abolitionists. This traffic was, at least, an ancient scourge of human society; it appeared to involve questions of long-settled property in the colonies, and important commercial interests at home. The advocates of the Abolition were not, at this time, distinguished either by their mercantile knowledge, their individual discretion, or their respect for established opinions. They had associated themselves (though with the purest motives) with some of the leaders of a desolating and bloody Revolution now commencing in France; and in a conflict which they called upon the wisdom of the Senate to decide, they had appealed, by songs and pictures, to the passions and feelings of the multitude. These considerations had decided the first Lord Liverpool against their measures; he was one of the principal opponents of the Abolition this session (April 1792) in the House of Lords, and that circumstance, more than any other, seems to have influenced the early decision of Mr. Jenkinson.

But this decision has been represented as more hostile to the plans of the Abolitionists than it

really was. The young orator is stated to have united with Colonel Tarleton (the member for Liverpool) in asserting the propriety of the Slave Trade, and its being indispensably necessary for the preservation of our West India islands; that were it abolished, the nation would be a loser of six millions annually, in the worth of manufactures exported, or the value of shipping, &c.* The fact is, Mr. Jenkinson never defended the principle of this enormous iniquity; he was only, as we shall see, an advocate for a gradual abolition of its wrongs and miseries.

A Committee of the Privy Council had been ordered to examine evidence on this subject so far back as the year 1788. On the 9th of May in that year, Mr. Pitt, during a severe illness of Mr. Wilberforce, induced the House of Commons to pledge itself to "take into consideration early in the next session of parliament, the circumstances of the Slave Trade complained of" in numerous petitions; and Sir William Dolben's bill for alleviating, in the interim, the horrors of the middle passage, passed both Houses. It is well known, however, that Mr. Pitt would never consent to make the Abolition of the Slave Trade a cabinet measure.

It had to combat severe opposition in 1789 and

* Dodsley's Annual Register, 1792, p. 149.

1790: the evidence taken before the Privy Council, upon which the Abolitionists had relied for proof of their most important allegations, was impugned on very respectable authority, and the House of Commons resolved upon hearing the witnesses on both sides at its own bar. This occupied the House upon the question until April 1791; a period at which, unhappily, the prejudices of many disinterested parties were awoke against the measure, by the sanguinary revolt that had just taken place among the Negroes of St. Domingo. The consequence was, that after a debate which lasted for two successive days until three o'clock in the morning, Mr. Wilberforce's bill "to prevent the farther importation of Slaves into the British Colonies in the West Indies," was lost by a majority of 75 votes; only 88 members voting for it, and 163 against it.

In the early part of the session of 1792, upwards of 500 petitions for the abolition of this traffic had been presented to the House; and on the 2d of April, its ever honourable and persevering enemy, Mr. Wilberforce, moved the following resolution in a Committee of the whole House: "That it is the opinion of this Committee, that the trade carried on by British subjects for the purpose of obtaining slaves on the coast of Africa, ought to be abolished." Mr. Dundas, in the course of the extended debate which now

took place, declared himself convinced of the impolicy and iniquity of the trade, but thought that it would be imprudent and unjust to various descriptions of persons interested in the cultivation and produce of the West Indian islands, to abolish it immediately. He proposed, therefore, that the word "gradually" should be inserted before the word "abolished" in the motion; an amendment which was supported by the Speaker (Mr. Addington), and various other members, who were fearful of the effects of so material a change being made suddenly.

Mr. Fox, however, vigorously opposed it. He asked, "Whether the House would pass a law for the toleration of enormities in those distant dependancies, that at home would be punished with the utmost rigour, and even in some cases with death itself?" Were any regulations applicable to the commission of crimes? A larger importation of females, for instance, would only contribute to a more frequent seizure of daughters from their parents, and of mothers from their children, by those hardened ruffians who made it a business to steal the natives in Africa to sell them to the shipping. What were the considerations that could bring forward a clause for this horrid purpose, with any degree of plausibility?

"It had been objected," he said, "that were the British trade in Africa for slaves to be abo-

lished, still it would be continued by other nations; from which our islands would then be necessitated to receive their usual supply of slaves; but even this, he asserted, would be preferable to the direct authorising of such a commerce in our own people. Another objection was, that multitudes of the signatures to the petitions against the trade were of indigent persons. But surely truth and poverty were not inconsistencies. Respectable names had also been adduced in favour of the Slave-trade; but they could only speak to the treatment of the negroes in the West Indies, and not of the trade carried on in Africa for the procuring of them; whereas the evidence of numbers of those who reprobated it, was particular and positive respecting the facts which they stated. The methods used for the obtaining of slaves in Africa had ever been represented in such a wise, as to convince any reasonable man of their fairness and equity. Those who endeavoured to palliate this shameful business, alleged that the slaves purchased by our traders, were sold for the crimes and misdemeanours they had committed in their own country; but when he adverted," said Mr. Fox, "to the numbers thus sold off the coast, could such an allegation deserve the least credit? No less than 80,000 were annually exported from Africa:—could it be believed that all these were convicts? In the preceding ses-

sion, the humanity of the British nation was flattered with the prospect of some mitigation of these enormities : but it proved a deception ;— the business remained unaltered, and villanies of the blackest die still continued to be practised as usual in the course of this scandalous commerce."

In corroboration of what he asserted, Mr. Fox produced instances to show, that in the purchase of individuals in Africa, the masters of ships bought, indiscriminately, all that were brought on board for sale,—the bringers themselves, in their turn, not excepted, when subjected by accidents to be sold. It was not in the power of our purchasers to distinguish between the guilty and the innocent. Whatsoever was offered was accepted ; and no questions were asked, but about the price. Thus, humanity and justice were entirely discarded from these transactions ; and no attention was paid to any other object than the strength, health, and age, of the individuals offered for sale.

Mr. Jenkinson now rose, and, after admitting the trade to be indefensible, said, " That he perfectly agreed with the friends of the Abolition in their end, and differed from them only in the means of accomplishing that end. He was desirous of doing, by regulation, what they wished to do by a more direct method. He was of

opinion, that by a progressive improvement in the treatment of the slaves, they would become more and more prolific, so that in a short period no importation would be wanted, in which case the trade would cease of itself; and that he might formally bring before the House a plan for that purpose, he moved, 'That the chairman should leave the chair.'"

The friends of the measure contend that never in the House of Commons, and never probably in any other place, was so much splendid oratory displayed, as on this occasion, on the side of the Abolition of the Slave-trade. Mr. Pitt may be regarded as having stated the arguments for the immediate abolition, with the greatest impartiality, and perhaps with the greatest effect. He followed Mr. Estwicke, who had spoken briefly in favour of the amendment moved by Mr. Dundas (Mr. Jenkinson's motion being also before the House); and remarked that, "The debate of that night had taken a course altogether new. A difference of opinion had indeed been stated; but upon principles far removed from those which had been maintained when the question was discussed in former years. By far the greater number of the persons who had spoken in the present debate, had thought it their duty to declare their full and entire concurrence with his honourable friend, in promoting the abolition of the Slave-trade,

as their ultimate object." [Mr. Jenkinson was clearly amongst this number.] "Being agreed upon the Abolition itself, the only dispute now was, as to the period of time at which it should take place. "I therefore," continued Mr. Pitt, "congratulate this House, the country, and the world, that this great point is gained, that we may now consider this trade as having received its condemnation; that its sentence is sealed; that this curse of mankind is seen by the House in its true light; and that the greatest stigma on our national character which ever yet existed, is about to be removed; and, Sir, which is still more important, that mankind, I trust, in general, are now likely to be delivered from *the greatest practical evil that ever has afflicted the human race*, from the severest and most extensive calamity recorded in the history of the world."

We cannot follow the Right Honourable speaker into the great length at which he now entered into the effect which the Abolition would produce upon the real interest of proprietors of estates in the West Indies, the condition of the negroes, and the tranquillity and safety of the islands; and showed that all the arguments drawn from those sources, pleaded much more loudly and strongly for an immediate, than for a gradual, abolition.

He also contended, that an Act of Parliament, operating directly and instantly, would secure the object they all had in view, more effectually, and with less difficulty, than internal regulations in the respective islands, or any other plan which could be devised.

Against the plea of necessity, he introduced an argument of unusual weight and grandeur. "This plea of necessity," said he, "presumed, as I suspect, from the circumstance of injustice itself, has caused a sort of acquiescence in the continuance of this evil. Men have been led to place it in the rank of those necessary evils, which are supposed to be the lot of human creatures, and to be permitted to fall upon some countries or individuals, rather than upon others, by that Being whose ways are inscrutable to us, and whose dispensations, it is conceived, we ought not to look into. The origin of evil is indeed a subject beyond the reach of human understandings; and the permission of it by the Supreme Being is a subject into which it belongs not to us to inquire. But where the evil in question is a moral evil, which a man can scrutinize, and where that moral evil has its origin within ourselves, let us not imagine, that we can clear our consciences by this general, not to say irreligious, way of laying aside the question. If we reflect at all on this subject,

we must see that every necessary evil supposes that some other and greater evil would be incurred were it removed: I therefore desire to ask, what can be that greater evil, which can be stated to overbalance the one in question? I know of no evil that ever has existed, nor can I imagine any evil to exist, worse than the tearing seventy or eighty thousand persons annually from their native land, by a combination of the most civilized nations, inhabiting the most enlightened quarter of the globe, but more especially under the sanction of the laws of that nation, which calls herself the most free and most happy of them all. Even if these miserable beings were proved guilty of every crime, before you take them off, of which however not a single proof is adduced, ought we to take upon ourselves the office of executioners? And even if we condescend so far, still can we be justified in taking them, unless we have clear proof that they are criminals? Let us then begin from this time; let us not commit these important concerns to any farther hazard; let us prosecute this great object from this very hour; let us vote that the Abolition of the Slave-trade shall be immediate, and not left to I know not what future time or contingency."

He afterwards alluded to the lines of Horace:—

"Rusticus expectat dum defluat amnis, at ille
Labitur, et labetur in omne volubilis ævum."

And added—"By proposing some other period than the present, by prescribing some other conditions, by waiting for some contingency, or by refusing to proceed till a thousand favourable circumstances unite together, perhaps till we gain the general concurrence of Europe, a concurrence, which, I believe, never yet took place at the commencement of any one improvement in policy or in morals, year after year escapes, and the most enormous evils go unredressed. We see this abundantly exemplified, not only in public, but in private life. Similar observations have been often applied to the case of personal reformation. If you go into the street, it is a chance but the first person who crosses you is one '*vivendi recte qui prorogat horam.*' We may wait; we may delay to cross the stream before us, till it has run down; but we shall wait for ever, for the river will still flow on, without being exhausted. We shall be no nearer to the object which we profess to have in view, so long as the step, which alone can bring us to it, is not taken. Until the actual, the only remedy is applied, we ought not to flatter ourselves, either that we have as yet thoroughly laid to heart the evil we affect to deplore, or that there is as yet any reasonable assurance of its being brought to an actual termination."

Mr. Jenkinson's motion was rejected by a ma-

jority of 234 to 87; and Mr. Dundas's proposal for inserting the word, "gradually" carried by 193 to 125. The issue was that Mr. Wilberforce carried his original motion with this addition by a majority of 230 to 85.

These divisions declared the decided opinion of this branch of the legislature, that the Slave-trade ought to be abolished:—they produced the successive motions, of Mr. Dundas, who, on the 23rd of April, brought in twelve resolutions fixing the period of the final cessation of the trade on the 1st of January, 1800; and of Lord Mornington (now the Marquess of Wellesley), who proposed to substitute for that date, the 1st of January, 1793, the amendment being warmly supported by Mr. Pitt, Mr. Fox, and Mr. Wilberforce. It was, however, lost.

Two days afterwards, the 1st of January, 1795, was suggested by Lord Mornington; this also was negatived; but a motion of Sir Edward Knatchbull, adding another year to the miseries of Africa, was carried by a majority of 151 to 132; on which Mr. Dundas relinquished the further prosecution of the business to Mr. Pitt. We find that statesman, accordingly, attempting to introduce a bill, founded upon the resolutions of Mr. Dundas, with some additional ones of his own: but in a conference next day with the Lords (whose concurrence he endeavoured to pro-

cure before he introduced it) their Lordships determined to hear evidence on the subject at their own bar, and it therefore proceeded in the House of Commons no farther at this time.

The period of our long contest with the measures of Revolutionary France was now approaching. The ominous murmurings of that mighty volcano resounded throughout Europe; the ancient monarchy of France was already overwhelmed; and the incendiary lava may be said to have passed the Straits of Calais. The French Convention openly countenanced the spread of revolutionary principles; it had its acknowledged emissaries in this country; and deputies from political societies in London and several chief towns of the provinces had been received at its bar. By a proclamation of the 19th of November, 1792, it was decreed, that the Republic "would grant fraternity and assistance to all those people who wished to procure liberty; and they charged their generals to give assistance to such people, and to defend such citizens as have suffered, or are now suffering, in the cause of Liberty." This decree was ordered to be translated and printed in all the European languages.

In the first instance the relation in which Great Britain endeavoured to stand towards the successive changes in France, was that of an impartial and not unfriendly spectator. When the

Emperor of Germany and the King of Prussia invited the other Courts of Europe to unite in arms against the Convention, that of St. James alone refused; "Determined," as the Emperor himself observed to the Marquis de Bouillè, "to observe the scrictest neutrality". Louis XVI. was on these principles recognized as the Constitutional Sovereign of France; and in the commencement of this year, so hopeful was the Ministry of a continuation of peace, that taxes to the amount of 200,000*l.* were repealed, and a considerable reduction was proposed in the naval and military establishments. Mr. Pitt declared in February, "that it was not unreasonable to expect that the peace should continue at least fifteen years, since at no period of the British history," he said, "whether we consider the internal situation of this kingdom, or its relation to foreign powers, has the prospect of war been farther removed than at present." It is necessary to advert to these facts to prove how far it was at this time from the intentions of the British Cabinet to take any part in the war kindling on the Continent.

On the deposition of the King of France (10th of August, 1792), to whom he had been accredited, the British Ambassador, Lord Gower, was recalled from Paris: but he was directed, on leaving, to assure the Executive Council, that the neu-

trality of Great Britain would be distinctly observed; and an answer was returned by the French authorities, expressing their "confidence founded on fact" in this "satisfactory testimony" of the sentiments of his Government.

It is now well known, that at this very period, French agents were stimulating the factious movements of the democratic societies of this country, not only with the flattering compliments of the Convention, but with money issued from the national treasury, for the express purpose, as it was declared by Brissot, of "dividing the Cabinet, and exciting the people against their tyrants." He acknowledges that before the declaration of war by France, twenty-five millions of livres, in assignats, had been sent to England in part of these "secret expenses" of the Republic.

The only measure that was adopted by the British Government against these insidious and extraordinary proceedings, during the summer and autumn of this year, was the issuing of a mild and dignified Proclamation from the Crown, reprobating seditious writings and meetings. It simply stated the notorious fact that "divers writings had been printed, published, and industriously dispersed, recommending wicked and seditious publications" to the attention of the public; and that Government had "reason to believe that correspondences had been entered

into with sundry persons in foreign parts, with a view to forward criminal and wicked purposes"—calling upon the magistracy of the country to discourage and suppress meetings and proceedings of this kind.

It is remarkable, as Bishop Tomline has observed, that the English was the only nation which presented addresses of congratulation to the three successive assemblies of Representatives of the French people. So early as the 14th of August, 1792, several Englishmen appeared at the bar of the National Assembly, and congratulated the French upon the energy they had displayed on the 10th of that month, that is, in murdering the Swiss Guards and deposing the King. On the 13th of December of the same year, Lord Grenville said in the House of Lords, that he "held in hand no fewer than ten addresses to the National Convention from subjects of Great Britain."

Five associations, at the head of which was the London Corresponding Society, in a joint address, voted by 5000 persons, represented the English as nearly reduced by an oppressive system, and gradual encroachments, to that abject slavery, from which the French had so gloriously emerged. "The French," they said, "were already free, and Britons were preparing to become so." They assured the Convention, that they consi-

dered the cause in which the French were engaged as intimately connected with their own; that they were eager to behold freedom triumphant, and man everywhere restored to the enjoyment of his just rights; that they *reprobated the neutrality of England*, in the present struggle of liberty against despotism, as a national disgrace; it being the duty of Britons to countenance and assist to the utmost of their power the champions of human happiness, and to swear inviolable friendship to a people proceeding on a plan which the French had adopted.

In September the French Minister of Marine reported that France had then at sea twenty-one ships of the line and thirty frigates, and that thirty-four ships of the line and twenty-three frigates were ready to be commissioned on a short notice: in the month of November, three days prior to the decree of the Convention already noticed, the Executive Council determined upon the opening of the Scheldt.

Parliament met on the 13th of December. The King's speech adverted to the necessity under which his Majesty had been compelled to embody the Militia, as requiring him also to assemble Parliament within the limited time: to the seditious practices and disorders already mentioned; and the manner in which they had been encouraged from abroad.

His Majesty declared that he had observed a strict neutrality in the present war on the Continent, and uniformly abstained from any interference with respect to the internal affairs of France; but that it was impossible for him to see, without the most serious uneasiness, the strong and increasing indications which appeared there of an intention to excite disturbances in other countries, to disregard the rights of neutral nations, and to pursue views of conquest and aggrandisement, as well as to adopt towards his allies, the States-General, measures which are neither conformable to the law of nations, nor to the positive stipulations of existing treaties. Under these circumstances he had taken steps to augment both the naval and military force of the country.

Mr. Jenkinson took no part in the debate upon the Address: but when, on the 15th, after the return of the House from presenting it, Mr. Fox moved "that an humble address may be presented to his Majesty, that his Majesty will be graciously pleased to give directions that a Minister may be sent to Paris to treat with those persons who exercise provisionally the functions of the Executive Government of France, touching such points as may be in discussion between his Majesty and his allies, and the French nation,"—he rose to oppose the motion.

He dwelt on the flourishing state of our finances, decried those of France, and represented the present period as far more favourable for engaging in a war with France than the year 1787, when there was a prospect of hostilities between the two countries. "He believed that there were disaffected persons in the country, whose activity made them dangerous; but he was of opinion that war, instead of increasing their power of mischief, would lessen it. The French knew that we were engaged to protect Holland in the navigation of the Scheldt, and their insolent threats of opening it, in defiance of guarantees and subsisting treaties, must be considered as an intentional insult to this country, which could not be overlooked without the imputation of a cowardly and base submission." The ambition of the French he stated in strong terms, with their conduct respecting the King of Sardinia and Geneva; and justified Ministers in not having endeavoured at an earlier period to conciliate the good will of France: "for where persons and things were every day changing, where all rule belonged to robbers and assassins, in what quarter were they to apply? What government should they acknowledge, where there was no government? How could England recognize a constitution, which the French themselves were every day violating? But, thank God! England,

so long distinguished for her faithful and sacred adherence to her treaties, would not forego her respectable and useful alliances for any new allies whatever; and least of all for such allies as the French." Mr. Jenkinson, in considering the particular moment when this embassy was proposed, exclaimed:—"On this very day, while we are here debating about sending an ambassador to the French Republic; on this very day is the King to receive sentence, and in all probability it is the day of his murder! What is it, then, that gentlemen would propose to their sovereign? to bow his neck to a band of sanguinary ruffians, and address an ambassador to a set of murderous regicides, whose hands were still reeking with the blood of a slaughtered monarch, and who he had previously declared should find no refuge in his dominions? No, sir, the British character is too noble to run a race for infamy; nor shall we be the first to compliment a set of monsters, who, while we are agitating this subject, are probably bearing through the streets of Paris,—horrid spectacle!—the bloody victim of their fury."* Mr. Fox's motion was rejected without a division.

* Mr. Burke, in the debate on the Address, remarked in his own profound manner, "that the French Republic was *sui generis*, and bore no analogy to any other which ever existed in the world. It therefore did not follow that we ought to recognize it, merely because different Powers in

In these important debates the Premier could take no part, from the circumstance of his having

Europe had recognized the Republic of England under Oliver Cromwell. England did not at that time attempt to turn all the States of Christendom into Republics: it did not wage war with sovereigns; it professed no principle of proselytism; and therefore, whatever neighbouring nations might have to expect at that time from her friendship, they had nothing to fear for the existence of thrones. The same might be said of America. But France wanted to make proselytes to their opinions, and turn every government in the world into a Republic. If every government was against her, it was because she had declared herself hostile to every government. He knew of nothing to which this strange Republic could be compared, but to the system of Mahomet, who with the Koran in one hand, and a sword in the other, held out the former to the acceptance of mankind, and with the latter compelled them to adopt it as their creed. The Koran which France held out, was the Declaration of the rights of man, and universal fraternity; and with the sword she was determined to propagate her doctrines, and conquer those whom she could not convince. He by no means wished to hurry the nation into a war. He wanted to make the people see that France had really declared war against them, and that the two States might be considered as actually engaged in it. France had passed a variety of decrees, every one of which might fairly be considered as a declaration of war against every government. She had resolved to wage an eternal war against Kings and kingly government; and she had actually received Englishmen at the bar of the Convention, whom, in contempt of the King and Parliament, she professed to consider as the representatives of the people of England. Was this no provocation? Was this no attack upon the Government of Great Britain."

vacated his seat in the House of Commons, by accepting the Wardenship of the Cinque Ports; but the measures of Government were ably supported by several former members of the Opposition, at the head of whom was the illustrious Burke.

This great man warmly complimented the talents and efforts of the young members of the House who had opposed the motion of Mr. Fox, particularly Mr. Jenkinson and Mr. Frederick North; an eulogium in which Mr. Pitt concurred, when, on the 18th of January, he resumed his seat as member for the University of Cambridge.

Mr. Burke said, "They had gloriously stood forward to resist the growing evils, and seemed to inherit talents, virtues, and eloquence, which had often attracted the admiration of the House. In them he was happy to see that the new doctrines, which menaced destruction to all lovers of peace and order, would find powerful opponents. While they remained in the field of action, armed at all points for the combat, while the patriotism of their fathers animated them in defence of the Constitution, while they were emboldened and invigorated by the growing danger, the people need not tremble for the pernicious consequences of the new system of France, accompanied by the threatened argument of the sword. In the formidable phalanx which now appeared, the coun-

try might repose the greatest confidence. They would dash forward and repel the impending storm. So might it always be! Might there be an eternal succession of talents and principles adverse to these new French doctrines!

> Tum vos, O Tyrii, stirpem et genus omne futurum
> Exercete odiis; cinerique hæc mittite nostro
> Munera, nullus amor populis nec fœdera sunto.
> Litora litoribus contraria, fluctibus undas
> Imprecor, arma armis: pugnent ipsique nepotes."

Mr. Jenkinson, indeed, was now rapidly rising in the consideration of all parties; and began commonly to take a prominent part in combating the arguments of Opposition.

The progress of the French Revolution, pregnant as it is with important warning to the present and "all coming time," has been too often and too well illustrated by various writers to require particular description in this place. We need only advert to those prominent events which are connected with the origin and early character of the late wars of France with this country.

The year 1792 closed in Paris with preparations for the trial of Louis XVI. at the bar of the Convention; that amiable prince was, on the 19th of January in the ensuing year, condemned to suffer death; and on the 23d of the month, the sentence was executed.

In the interim, (Dec. 1, 1792) a French frigate and several smaller vessels sailed up the Scheldt, for the purpose of bombarding Antwerp, in open defiance of well-known treaties of which England was a guarantee. Yet on the 27th of December, M. Chauvelin, who, though his diplomatic functions were held to have ceased with the deposition of the King of France, was permitted to remain in London, delivered a note to Lord Grenville, in which he stated, that he was authorized to declare that it was the desire of the French Government to continue on good terms with the Court of London. He proceeded to explain the obnoxious decree of the 19th of November, as applicable only to those people who, after having acquired their liberty by conquest, might desire the fraternity and assistance of the French Republic; and said, that France would not attack Holland if she maintained her neutrality.

The only remaining difficulty, he observed, related to the opening of the Scheldt, a question irrevocably decided by reason and justice, of little importance in itself, and on which the opinion of England, and perhaps even of Holland, was so well known, as to render it difficult to render it seriously the single cause of war. If, however, the British Ministers should consider the opening of the Scheldt a sufficient ground for a rupture, the whole blame and responsibility of the war

would rest with them; and France would make this evident by an appeal to the English nation, "a generous and free people, who would not long consent to betray their own interests, by serving as an auxiliary, and a reinforcement to a tyrannical coalition."

Lord Grenville, in an answer sent on the 31st of December, observed, "that all England saw, in the decree of November the 19th, the formal declaration of a design to extend universally the new principles of government adopted in France, and to encourage disorder and revolt in all countries, even in those which were neutral; and that this design, as far as Great Britain was concerned, was exemplified by the public reception given to promoters of sedition in this kingdom, and by the speeches made to them by the President of the National Convention, precisely at the time of this decree, and on several subsequent occasions; that the explanation now given of this decree, so far from being satisfactory, must be considered as a fresh avowal of those dispositions which had caused so much uneasiness and jealousy; inasmuch as it reserved to France a right of mixing herself in the internal affairs of this country, whenever she should think proper: and on principles incompatible with the political institutions of other nations; contrary to the respect which is reciprocally due to independent states, and re-

pugnant to the conduct of Great Britain, in abstaining at all times from any interference whatever in the internal affairs of France."

Upon the external relations of the two countries, Lord Grenville remarked, "that the declaration now made, that France will not attack Holland so long as that power shall observe a strict neutrality, was expressed nearly in the same terms with that which was made by M. Chauvelin, in the month of June last; since which, a French officer had sailed up the Scheldt to attack the citadel of Antwerp, notwithstanding the known determination of the Dutch Government not to grant that passage, and the formal protest by which they opposed it; and that at the very moment France, under the name of an amicable explanation, renewed her promise of respecting the rights and independence of England and her allies, she announced her intention to maintain this open and injurious aggression: that on such declaration, therefore, no reliance could be placed for the continuance of public tranquillity. If it were true that the question of opening the Scheldt was of little importance, it would serve to prove more clearly, that it was brought forward only for the purpose of insulting the allies of England, by the infraction of their neutrality, and by the violation of their rights, expressly secured to them by the faith of treaties: it was, however, well

known that the utmost importance was attached by the British Government to the principles which France wished to establish by this proceeding, and to the consequences which would materially result from them; and that those principles and those consequences would never be admitted by England; but that she was, and ever would be, ready to oppose them with all her force."—France, continued Lord Grenville, " can have no right to annul the stipulations relative to the Scheldt, unless she have also the power to set aside all the other treaties between all the powers of Europe, and all the other rights of England, and of her allies. She can have no pretence to interfere in the question of opening the Scheldt, unless she were the sovereign of the Low Countries, or had the right to dictate laws to all Europe. England will never consent, that France should arrogate the power of annulling at her pleasure, and under the pretence of a natural right, of which she makes herself the only judge, the political system of Europe, established by solemn treaties, and guaranteed by the consent of all the powers. This Government, adhering to the maxims which it has followed for more than a century, will also never see with indifference, that France shall make herself, either directly or indirectly, sovereign of the Low Countries, or general arbitress of the rights and liberties of Europe."

It will be sufficient to add, that on the 13th, the Executive Council of France avowed, through M. Chauvelin, their determination to open the Scheldt, and keep possession of the Netherlands during the war now carrying on there, and "as much longer" as might be necessary for the Belgians to insure what they termed "their liberties;" adding, as their ultimatum, that if the previous explanations upon these and other points were not satisfactory, and if the English armaments were still continued, the French Government was prepared for war.

On the 21st, the British Government having received information of the death of the King of France, ordered M. Chauvelin to leave London in eight days; and on the 1st of February, the National Convention declared war against Great Britain and the United Provinces.

CHAPTER II.

Mr. Grey's motion for Parliamentary Reform.—Mr. Jenkinson replies to him.—Efforts of France in the War.—Mr. Canning's first appearance in Parliament.—Extract from his first speech.—Mr. Grey condemns our Continental alliances.—Mr. Jenkinson defends them.—In Paris, in 1793.—Major Maitland's motion respecting the failure at Dunkirk.—Mr. Jenkinson's reply.—Replies to Mr. Fox's Resolutions respecting the War.—Mr. Sheridan's conjectures respecting his connexion with Ministers.—Duke of Portland, Mr. Windham, &c. accept office.—Mr. Jenkinson's marriage.—Opening of Parliament, 1795-6.—Lord Castlereagh's first appearance in the English House of Commons.—Mr. Jenkinson's review of the effect of the War on our Commerce.—He becomes Lord Hawkesbury.—Debate on the state of Ireland.—The triple Assessed Taxes.—The Land-tax.—Message of the King recommending a legislative union with Ireland.—Lord Hawkesbury's remarks on Mr. Sheridan's public conduct.—Failure of the Crops, and Parliamentary measures in consequence.—Mr. Tierney's attack on the motives and conduct of the War.

ONE topic which the English clubs and societies calling themselves Constitutional and Revolution Societies, Friends of the People, &c. had uniformly associated with their complaints against

Government was, that of the state of the Representation. This had been taken up so far back as 1782 by Mr. Pitt himself, and its agitation at the present period had evidently a tendency, whatever was the intention of the various parties concerned, to embarrass and discredit his administration. "His political adversaries thought," says his Right Reverend Biographer, "that he would feel no small difficulty with respect to the part he should take; and in either case, they hoped, that he would suffer in the public estimation. If he should support the motion originating from such a quarter, he would be considered as countenancing those societies, and favouring those opinions, which he had been studious to represent as highly dangerous; and if he should resist it, he would lay himself open to the imputation of acting in direct opposition to his former sentiments and conduct. The manly and decided terms, however, in which he at once declared himself adverse to the measure, showed, that he had no hesitation as to the line which it was his duty to pursue; and the difference between the present situation of the country, and that under which he had himself proposed a reform in Parliament, was so material and so striking, that all endeavour to fix upon him the charge of inconsistency totally failed. It was obvious, that a proposition, which was to affect an important branch of the Govern-

ment, might at one time be safe and expedient, and at another hazardous and mischievous!"

Mr. Grey's memorable petition on this subject was brought forward on the 6th of May, 1793, when Mr. Jenkinson stood foremost in the rank of its opposers.

It stated with great distinctness, the defects which at present exist in the Representation of the people in Parliament. It took notice of the division of the representation, or the proportions in which the different counties contribute to the total number of the representatives; showing under that head, the disproportion which takes place in a variety of instances; insomuch, that the county of Cornwall alone sends more members to Parliament than the counties of York, Rutland, and Middlesex put together: and it proceeded to observe upon the distribution of the elective franchise, or the proportional number by which the different representatives are elected; maintaining, under this head, that a majority of the whole House of Commons is elected by not more than 15,000 persons; or in other words, by the two hundredth part of the people to be represented, supposing that they consist only of three millions of adults, &c.

It then noticed the right of voting, or the various restrictions and limitations under which the privilege of a vote for the choice of a representative

is bestowed; stating the great evils and inequalities that prevail in that respect. It afterwards took notice of the qualifications to be possessed by candidates and those elected; and then considered the evils arising from the length of the duration of Parliaments. It then went on to detail the mode in which elections are conducted and decided; and, under that head, showed the evils arising from the length of time to which polls are protracted, from the influence of corporations, by the powers entrusted to returning officers, and from the appeal to the House of Commons under the operations of the Acts 10th, 11th, 25th, and 28th of George III. as far as the same relate to expense and delay.

The petition proceeded to take notice of the mischief resulting from the defects and abuses which it had previously pointed out, particularly by the system of private patronage and the influence possessed by peers and wealthy commoners in the nomination of what are called the representatives of the people; showing under this head, that by the patronage and influence of seventy-one peers and ninety-one commoners, the return of no fewer than three hundred and six members of that House was procured, which considerably exceeded a majority of the House. The petition dwelt at great length upon all these points, and detailed a variety of other abuses,

which the petitioners offered to substantiate by proof.

Mr. Grey accompanied the presentation of this petition with a species of history of the various efforts that had been made to accomplish a reform in Parliament. "Many had been, he lamented, the unsuccessful attempts to bring about a reform. At different times the great question had been brought forward; but a proper time had never been found for it. In 1733, a motion was made in that House, by Mr. Bromley, for a repeal of the Septennial Act, and that motion was seconded, in a very able speech, by Sir William Wyndham. At that time the proposition was met, and successfully resisted, upon the pretence of danger arising from Papists and Jacobites plotting against the state and the constitution. In 1745, another attempt was made, and that was the only occasion on which the pretence of danger was not made use of, although the country was then in a state of war and disturbance; but the success of the attempt was just the same as of the former one.—Again," he said, "the business came to be agitated in the year 1758; then also the motion was rejected. The Right Honourable gentleman (Mr. Pitt) had himself brought forward the subject three different times, in 1782, 1783, and, lastly, in 1785, when he was minister. The same objection, with respect to the time, was then made,

and combated by the Right Honourable gentleman, strongly and powerfully in argument, but without effect.

"The business of reform appeared to have slept from 1785 to 1790, when it was again brought forward by Mr. Flood. At that time, the internal convulsion in France had been just begun, and it was then asked, whether we should think of repairing our House in the hurricane season? He expected also to be told, that the danger is now greater than ever this country experienced. If, however," said he, "there ever was any danger to this country from the propagation of French principles, or from the increase of French dominion, the danger is completely at an end; as it is impossible that any set of men, who had not actually lost their senses, should ever propose the French Revolution as a model for imitation. For all the evils that did or might at any time threaten our country, there was no remedy so certain or so powerful, as a pure and uncorrupted House of Commons, emanating fairly and freely from the people.

"However unwilling he was to rest this case on the foundation of authority, he thought it right," he said, "at a time when all those who proposed any change in the present state of things, were charged with bad views, to declare that it had been supported by Mr. Locke, by Mr. Justice

Blackstone, by the late Sir George Saville, by the Earl of Chatham, and by the present Master of the Rolls, the present Lord Chief Baron, and the present Lord Chief Justice of the King's Bench. It had been supported by the Right Honourable gentleman (Mr. Pitt) himself; by the Duke of Richmond, and by an authority still greater than these, viz. by a speech of his Majesty from the throne. On looking into the Journals of the 24th of May, 1784, he found a motion made, that the King's speech should be read, wherein his Majesty says 'that he would be always desirous to concur with his Parliament, in supporting and maintaining in their just balance, the rights of every branch of the legislature.' If he did not think it requisite to follow the petition in the detail of facts, it was for no other cause than that they are there so fully stated; and can be distinctly proved."

Mr. Grey remarked with much severity on the abuse of burgage tenures, and the splitting of messuages and hereditaments for election purposes, in direct contradiction to a statute of King William for preventing such practices. He reprobated the influence of peers in the elections of members of Parliament, and drew from thence some additional reasons for enforcing the object of his motion. "There were other arguments for reform," he said, "which had surely only to be sta-

ted to produce conviction, such as those prominent ones adduced in the petition, that the county of Rutland sent as many members to Parliament as the freeholders of Yorkshire; and Cornwall as many as Rutland, Yorkshire, and Middlesex put together; and as many within one as the whole kingdom of Scotland: these were facts within the knowledge of the House, and afforded sufficient ground for a Parliamentary reform. There were other grounds arising from bribery, corruption, and expense at elections, which were known to every member who had served on election committees, though they were not known to the House as a body. Sometimes, indeed, reports from committees stated acts of bribery and corruption, as in the cases of Cricklade and Shoreham, and Stockbridge, whose case was still depending. The most certain and effectual remedy, in those cases, was to establish a more popular election, which was the most likely method to secure the purity of election, and the independence of the members of that House." He concluded with a motion, that the petition should be referred to a committee; which was seconded by Mr. Erskine.

Mr. Jenkinson began with observing, "that among various other objections to the motion, he should particularly select one of them, which was the time in which it was introduced, when

our constitution had been threatened from within, when war had been declared against it from without. Nor is this all—the persons associated to petition for a reform in Parliament, after twelve months' consideration, and, as it appears, repeated meetings, do not produce any specific plan whatever. It is therefore reasonable to infer, that they had not been able to ascertain the evil, much less to produce a remedy." After some previous observations, he described the House of Commons as a legislative body, representing all descriptions of men in this country. He then proceeded to consider how it ought to be composed to answer its object, and what is the way of so composing it. He first contended that as the landed interest was in fact the stamina of the country, it ought to have the greatest preponderance in the popular part of our constitution. The next place was, in his opinion, to be occupied by the commercial and manufacturing interest; but besides these, persons in the navy, the army, and the profession of the law, must be considered as necessary to the composition of a House of Commons. He reasoned at large upon the necessity of such a variety characterising Parliamentary representation, and then defended with great acuteness the present state of it as adapted to that purpose. He came at length to the important question—Has the House

of Commons, constituted as it is, answered the end for which it was designed? "The House of Commons, as the democratic part of the constitution, as the virtual representatives of the people, ought to a degree to be affected by public opinions in their operations; it must, however, never be forgotten, that the first quality of the House of Commons is that of a deliberative assembly. If public opinion is necessarily to affect their decisions on every occasion, it will cease to be that deliberative assembly, and the members of it would have nothing to do but to go to their constituents, and desire to be directed by them in the votes they are to give on every important subject. The petition on the table, and the honourable gentleman who had made the motion, have asserted, that the national debt which this country labours under, has originated from the corruption of that House. A more extraordinary assertion never has been made. The national debt has arisen from the wars in which this country has been involved: and did gentlemen mean to assert, that those wars were not agreeable to the public opinion? Consider the history of the wars since the house of Hanover has been on the throne. The Spanish war; was that unpopular? It was entered upon on the express requisition of the people, and contrary to the known opinion of the Government. The war of 1756;

was that unpopular? Never was any country engaged, he believed he might say, in a more popular war. The American war; was that unpopular? He had heard it asserted by an honourable gentleman opposite to him, that that was the war of the people. Until within a year and a half of its conclusion, nothing could be more marked than the approbation which the public gave to that measure. It grew unpopular towards the end, as under similar circumstances every war will grow unpopular, because it was unsuccessful; and what was the consequence of this war becoming unpopular? That the Minister who had the complete confidence of a Parliament chosen in the year 1780, was forced by that Parliament to quit his situation in less than eighteen months afterwards, in consequence of the ill success of the war.—Take," he said, "the administration of his right honourable friend. Would any body say, that that Administration, which had the confidence of the House of Commons, had not likewise the confidence of the public? He would admit that was no proof alone of the administration's being good; but that was not the question. The point for decision was, whether public opinion had its due weight in the deliberation of Parliament? But it was said, that there were some measures of the present Administration approved of by

that House, which were not approved by the public. It might be so; for if that House had not the power of differing from the public; nay, if it did not sometimes differ from them, it would cease to be a deliberative assembly. But the Russian war had been stated and insisted on. He would therefore suppose, for argument's sake, that Ministers were wrong in arming for the avowed purpose of obtaining Otckakoff, and were wrong, having so armed, in disarming without obtaining it. What does that prove with respect to the decisions of that House? Nothing, unless it could be shown that the supposed defects in our constitution were the cause of those decisions. If it could be shown, for instance, that the members for the close boroughs had in fact occasioned those decisions, contrary to the opinions of the landed and commercial interests in that House, the objection as far as respects that particular case may avail. But the reverse was the fact. A much greater number of members for counties and populous places voted with Administration than voted against them; and as many members for close boroughs, in proportion, voted in the minority as in the majority of that House. The objection then proved nothing. Form a House of Commons as you please; assemble the people in Salisbury-plain; you cannot prevent their having improper attachments and improper aversions.

You cannot prevent their placing too much confidence in one minister, because they approve of him, or too little in another, because they disapprove of him. The defect is not in the representation; it is in human nature, and our eyes had better be turned to an improvement of that." He then said, "that though public opinion should never fail to possess a certain weight in the constitution, he trembled at the idea of a democratic preponderance. It was certainly the principle of the British constitution, that monarchy, aristocracy, and democracy, should serve as a control on each other; but it was likewise a principle that they should and must sometimes co-operate. That there were theoretic defects in the composition of the House of Commons could not be denied; but it was incumbent on those who proposed a reform, to prove, if they could, that those defects affected the practice of the constitution!"

The motion of Mr. Grey was afterwards supported by one of Mr. Erskine's best parliamentary speeches, but was lost, on the question of adjournment being put, by a majority of 181 to 109.

The war with France, however, was the great topic of public attention. The exertions of that power in this the fanaticism of her liberty, had filled Europe with astonishment. At the close of 1793, after expelling the combined forces of Austria and Prussia, she maintained on her frontier

half a million of men, and had nearly an equal number training in various parts of France; while at Brest lay a powerful fleet, with which she menaced the shores of Great Britain.

Under these circumstances, the British ministry entered upon that series of coalitions with the powers of the Continent, which forms so large a feature in the history of the late wars. Austria, Prussia, Russia, Sardinia, Holland, and Spain, were all, sooner or later, actively united with, or subsidized by us at the commencement of the war: and these alliances became, of course, a topic of Parliamentary discussion.

In the month of January, 1794, Mr. Canning made his first speech in Parliament, in defence of the war, on the subject of the Treaty with Sardinia. We must find room for one characteristic passage which the right honourable gentleman has rarely surpassed in eloquence. "The war he could not," he said, "consider in any other light than as a war into which they had been forced by unprovoked aggressions on the part of France; nor could he see, as some gentlemen were disposed to do, that these aggressions were the less to be resisted and repelled, on account of the principles by which they were justified. Distinctions, indeed, had been taken by gentlemen on the other side of the House, between the progress of the arms of France and the progress of her prin-

ciples. The progress of her arms, it was admitted, it had been, and would always be, our right and our policy to oppose; but we need not, and we ought not, it seems, to go to war against her principles. He, for his part, could not see such fine distinctions. Admitting that the aggrandisement and aggression of France must naturally be the objects of our jealousy and resistance, he could not understand that they became less so, in proportion as they were accompanied and promoted by principles destructive of civil society; he could conceive no reason why the sword, which, if it had been attempted to be drawn by the ancient monarchy of France, would have been represented as threatening our prosperity, our rights, our very existence, might be wielded with ten-fold force by the arm of republicanism; might be pointed even at our breasts, without endangering our safety or our honour.

"'*But not only is this a war against principles*, but against the very best of principles, a war against freedom?' This is loudly and confidently asserted, and is to be proved, we are told, from the circumstance of ministers having neglected to interfere concerning the partition of Poland. Had not Ministers been actuated by a hatred of liberty on the one hand, and restrained by a love of despotism on the other, they could never have chosen to make war against France, rather than

against the powers who had partitioned Poland. The authors of this assertion affected to disregard, or disdained to consider, the comparative distance of France and of Poland, the relative importance of the two countries to us, the strength of the confederacy by which the latter was oppressed, and every other circumstance which should guide the discretion or regulate the conduct of every sober politician.

"Well, he would put all these considerations out of the question; he would admit for a moment, that there was an equal necessity, equal call, for our exertions in both cases; and then he would put the argument simply and solely on this ground:—if there be two powers, who have equally offended you; and from whom, by war or by negotiation, you must seek redress; if one of those powers, however in other respects odious and wicked in our eyes, cannot, however, be denied to have settled a responsible government, with which a negotiation may be easily and prudently carried on—while, on the other, however otherwise amiable and admirable, it must be admitted, that there is no such thing, no safe or tangible means of negotiation—does it not seem a most unaccountable perverseness of judgment, which shall say, 'Negotiate with that party with which negotiation is impracticable; go to war with that where negotiation would equally avail; nego-

tiate with France; go to war with Austria, Russia, Prussia. Take the bond of the beggar, and throw the solvent debtor into gaol!"

On the 6th of March, 1794, Mr. Grey moved in the House of Commons for an Address to the King, which should express the concern of the House that his Majesty should have formed an union with powers, whose apparent aim was to regulate a country wherein they had no right to interfere. "The King of Prussia had not taken up arms against France," he said, "in consequence of the defensive treaty by which he was bound to assist Great Britain, in case of an aggression from that power; but a coalition had been formed with him and others against the French, who were not the aggressors in this war; by which this country was involved in enterprises injurious to its interest and to the liberties of Europe." He supported this Address by a variety of arguments. "The views of Austria and Prussia," he asserted, "were evidently ambitious and unjust. Their conduct towards Poland sufficiently proved their intentions towards France. Whatever our declarations had been for the constitution accepted by the late King of France, it was not approved by Austria. There was no faith in either of these powers. Had their first invasion of France been successful, the balance and freedom of Europe must have been lost."

Mr. Jenkinson, in reply, endeavoured to sketch in a rapid manner the real views of the combined powers. Their object, he insisted, was both just and practicable. "It was not to divide or desolate France, but to prevent her ambitious division and desolation of the provinces of her neighbours. The means employed to attain this end were entirely proper. We could not be too solicitous in preventing the French from extending their dominions. The case of Poland, however blameable the conduct of the powers interested in the transactions relating to that state, was nowise applicable to the present war; in which he insisted that the French were clearly the aggressors, particularly in respect to its commencement with this country." We shall afterwards find him justifying the principles and operations of the war in a very particular and able manner.

At an early period of the French Revolution, the subject of our memoir appears to have passed a short time in Paris: he was in that capital, at any rate, during the atrocious massacre of M. M. Foulon and Berthier, which Mr. Burke, at this time, described as equalling any barbarity of the Revolution, excepting the murder of the King and Queen. The subject was introduced in the House of Commons, (March 17th, 1794) on the debate on General Fitzpatrick's motion relative to the detention of M. de la Fayette. Mr. Jenkin-

son on this occasion only observed, that being on the spot at the time he could assert, that, although La Fayette was not considered accessary to the murders of Foulon and Berthier, it was the impression of well-informed persons that he had not done all he might have done to prevent them.

April 10, Major Maitland brought forward a motion for the House to resolve itself into a Committee "to take into consideration the causes which led to the late failure of the army commanded by his Royal Highness the Duke of York at Dunkirk, and the causes which led to the evacuation of the port and town of Toulon, by the army and fleet under the command of Major-general Dundas, and Vice-admiral Lord Hood." The gallant officer entered into an elaborate examination and condemnation of the measures of Ministers throughout the whole of the preceding year.

Mr. Jenkinson contended, in opposition to Major Maitland, that no exertions had been wanting on the part of the Ministry. "The bravery of the British troops, and the prudence of those who guided our affairs, he was equally prepared to defend. The attempt upon Dunkirk was defeated by the prodigious strength employed by the French in its defence. No violation of agreement could be imputed to this country in the

affair at Toulon. When the people in that place stipulated for the constitution of 1789, they could not certainly mean that of 1791. Due care had been taken, when that place was evacuated, to provide the means of safety to all who would accept of them. The success of the expedition commanded by Lord Moira, depended entirely on the junction of the Royalists. Had they possessed a harbour for his landing, he doubtless would have landed, and done his utmost in their cause. The object in the view of Government was, not to compel the French to embrace any particular form of government, but to put an end to those ambitious projects which the French Republicans had formed and pursued ever since the extinction of monarchy. The Jacobin system had generated this restless spirit, and till that iniquitous scheme was destroyed, France would neither enjoy peace itself, nor suffer its neighbours to enjoy it.

" In his opinion, the best way of carrying on the campaign was, the making ourselves masters of several posts in the Low Countries, so as to secure the marching forward of the combined powers into the interior of France. He had no difficulty in saying, *that the marching to Paris was attainable and practicable ;* and he, for one, would recommend such an expedition. While the present system existed in France, the enemy

had only one advantage over us, namely, the power of bringing a superior force to any one place. But on our side there remained many considerable and peculiar advantages: we not only excelled the enemy in strict military discipline, but in the superior force of our cavalry. In the present disorganized state of France, it was impossible that she could raise cavalry as easily as infantry. During the latter part of the last campaign, the cavalry of the combined powers, owing to local circumstances, had been of very little service. The moment that the posts that insured safety to the marching forward of the combined powers were secured in the Low Countries, at that very time the cavalry could be brought to act with very considerable advantage. Under the disadvantages that he had before stated, Valenciennes and Quesnoy fell before the victorious arms of the combined powers. There was every prospect of success in the next campaign. The valour of the British troops was distinguished in the last, as it ever had been in every campaign. He would leave the French to exult on account of the battle of Jenappe, where, *mirabile dictu!* 60,000 Frenchmen defeated, though with considerable difficulty, 17,000 Austrians. At the same time, he need not mention the battle that was fought at Lincelles, where 1500 British troops defeated and cut to pieces

no less than 5000 Frenchmen. That signal victory would remain an everlasting honour to the men and to the commander that engaged in so hazardous an enterprise. It was said that this was a commercial country; but the only way to preserve that commercial prosperity was, by encouraging a martial spirit in this country; that sort of martial spirit that in cases of emergency would find its way to the plough and to the loom. Since we had, during the course of the last campaign, defended Holland, captured Quesnoy, Valenciennes, and Condé, recovered the Low Countries, and almost crippled the French navy, he could not see the least ground for the present motion."

In conformity with these spirited and comprehensive views, when, on the next day, a bill was debated, "to enable subjects of France to enlist as soldiers in regiments to serve on the Continent of Europe, and in certain other places, and to enable his Majesty to grant commissions to subjects of France, to serve and receive pay as officers in such regiments, or as engineers, under certain restrictions;" and Mr. Fox had remarked, that "he thought it singular, that the House should be called upon to give their votes for any such measure, without having some solid reasons previously assigned to induce them to adopt it:"— Mr. Jenkinson said, that "the reasons which

made the adoption of the bill necessary now, did not exist last year. He had reason to hope, that we should be able to penetrate the interior of France in the present campaign; and none could afford us more assistance in the accomplishment of that object than Frenchmen."

It will be remembered, that our young statesman was long twitted in the House of Commons with these memorable suggestions, respecting the practicability of more bold measures; and particularly with the idea of the allies marching to Paris:* but it is even less likely to be forgotten that he lived to see this idea realized by the bolder measures of himself and his colleagues.

We regret that the compass of our work should forbid our following him through all his laborious exertions in Parliament. Admitting his consider-

* There was no subject which through many successive Parliaments was so favourite a topic of Opposition pleasantry and banter. Mr. Sheridan expended upon it a large portion of his ever ready facetiousness. "The conquest of France!" says Mr. Fox, in his letter to the electors of Westminster, "Oh! calumniated Crusaders, how rational and moderate were your objects. Oh! tame and feeble Cervantes, with what a timid pencil and faint colours have you painted the portrait of a disordered imagination." "Two things," observe the Edinburgh Reviewers, (February 1813) "are clear in the midst of the darkness: one that a Crusade in behalf of the Bourbons and the old monarchy, is as palpably hopeless as it is manifestly unjust."

able advantages and connexions, no equitable mind can hesitate to acknowledge the unremitting assiduity of this part of his life. We can but hastily glance at the less important of his public speeches.

His reply to Mr. Fox's motion for putting an end to the war in France, May 30, 1794, must not be ranked with these. That gentleman submitted fourteen resolutions to the House of Commons, which embodied the views and reasoning of Opposition at this period. They adverted particularly to our original pretensions of not interfering in the internal affairs of France--to our professions of taking Toulon in trust for Louis XVII.;—and to the repeated declarations of Ministers, that they only sought for the opportunity to treat with a stable government in France upon the subject of the general tranquillity of Europe:—stating that our allies had entirely disappointed us in their efforts for the common cause, and that it was the duty of his Majesty's Ministers to avail themselves of the present circumstances of the war to promote a pacification by every means in their power.

This motion Mr. Jenkinson opposed at considerable length. He began with stating, "that the great object of the right hon. mover had been to prove, that instead of a war undertaken professedly for the protection of our allies and for

self-defence, it had been perverted into an avowed intention of interference in the internal constitution of France. In opposition to this statement, he begged to remind the House, that the Scheldt was not the only cause upon which hostilities were grounded. He begged leave to state what those causes were. The first was, the protection of our allies from invasion and insult; the second was, those views of aggrandisement which the ruling powers in France avowed, of propagating their new-fangled and destructive doctrines through every country in Europe by the sword. The third cause was, the insults offered to this country by the French Convention. These various reasons, avowed and acted on at the time, proved incontestably that the war, in its origin, was not intended to be purely defensive. In order to enable the House to form a correct decision upon the present question, he begged to remind them of the precise declaration made by Ministers upon a former occasion, when the subject of the war was debated, in which they stated, even with the approbation of the gentleman opposite, that their object was to obtain indemnity for the past, and security for the future. With this acknowledged object in view, he was now ready to admit, without entering into any discussion upon the subject of indemnity, that if security for the future were to be obtained, the war ought

to be brought to an immediate conclusion. But this was an object which, however desirable, was in the present state of things impossible to be obtained; and upon this point he was ready to meet the question. He had upon a former debate asserted, and he repeated it now, that, compared to all former wars in which this country had ever been involved, there was no security which we could obtain to induce this country to make peace under any probable prospect of its continuance. For instance, the peace of Ryswick, at the time when Louis XIV. entertained views of aggrandizement, so dangerous to the general independence of Europe, might be considered as a wise measure, at least as a temporary expedient; because, if it lasted two, three, four, or five years, yet was it as desirable for the one side as the other, enabling either party to recruit its strength, and meet its antagonist upon fair and equal terms. But, in the present instance, there was no security for the continuance of peace; no, not for a single hour. To prove the truth of this assertion, it was only necessary to recollect, what was the striking feature of the several events which have marked the Revolution in France. What was it overthrew the administration of Necker? — Moderation! What destroyed the Constitutionalists, the Girondists, the Brissotines, and all the various parties which have successively

risen and sunk in that agitated hemisphere?—Moderation! Or what had confirmed the power lodged in the hands of the present possessors?—The total want of it! Should they ever depart from their usual system of violence, by thinking of so humane and moderate an idea as treating for peace, their downfal would be inevitable. Thus, it was evident that, unlike every former instance, there was no security to be looked for in the idea of peace. It was asked, what chance we were likely to have of obtaining any probable object by the continuance of hostilities? He was ready to admit, that gaining a few towns, or even ten battles, was not of any avail to the putting an end to hostilities; nay farther, he had no hesitation in saying, that that object, however desirable, was only to be attained by the destruction of that system of Jacobinism which domineered at Paris, and, through Paris, all over France. And when he stated this, he had no hesitation in saying, that however impracticable or distant such a scheme might appear, yet it was by no means impossible or unlikely. He had on a former night stated his sentiments upon this subject; which were, that in order to gain this 'consummation so devoutly to be wished,' a strong frontier was absolutely necessary to be secured in the first instance, whence the united force might push forward with advantage to the attainment of

their object. He was the more confirmed in the propriety of this system, because, should we even fail in the attainment of Paris, yet we should at least be in possession of a barrier, which would, by securing our allies, be ultimately protection to us.

"Much had been said of the prevalence of the opinions propagated by the French. It was true, that those opinions were dangerous in proportion to the power, the wealth, the population, and the influence of France among the nations of Europe; but they were still *more* so, when it was considered that they were principles of Jacobinism; principles which went to set the poor against the rich, to encourage those who had nothing to lose against the best supporters of order and good government; and which, by cutting all the bands of society, tended to throw every thing into confusion. The right honourable gentleman had attacked the treaty with Sardinia, and had argued its inutility from the successes of the French in that quarter. That they had gained some advantages could not be denied, but still its good effects to the general cause were demonstrable, from the divisions which it caused, and the keeping so great a number of troops busied in one quarter, who might be otherwise dangerously employed in another. The subsidy to Prussia had also been the subject of

much reprehension; for his part, there was nothing in that transaction which was to him a matter of surprise. It was to be considered, that that monarchy was not to be ranked among the first-rate: it was artificial, and owed its power to its treasures. If those failed, it must inevitably sink into a secondary character. Considering, therefore, that this monarch had carried on two campaigns at a distance from his own territories, and where he had no probability of indemnity by the extension of territory, it was not unreasonable for *him* to demand assistance. The events of the campaign had been particularly urged, as forming a strong ground in favour of the present motion; for his part, he saw nothing in them that was not in the highest degree encouraging. The campaign had not been fairly commenced above five or six weeks; in that short period, we had taken Landrecy, which in former wars was considered as the key to France; and though we had lost Menin, and Courtray, yet when we contemplated the determined valour, spirit, and enterprise, which distinguished the whole of the allied armies, there was every reason to look with confidence to success. The right honourable gentleman had proposed a long string of resolutions; upon the first of which it was his intention to move the previous question. As to the last of them, there was no ground whatever in support

of it. It was impossible, in the nature of things, to bind men down to precise terms, as the particular objects of pursuit. For his part, he had always asserted, that one country at peace with another, had no right to interfere in her internal concerns; but he had as constantly maintained the right of such internal interference, when one country was engaged in actual hostilities with another. It had been also asked, whether at the time we were so eager to pull down the present Government of France, we were prepared to build up another in its room? He certainly was not prepared to say what precise form should be substituted in place of it; because that must depend entirely upon circumstances, after having at all events overturned the present power of the Jacobins, whose existence was totally adverse to every regular government and authority in the world. For these reasons he concluded with moving the previous question upon the first resolution."

Mr. Sheridan, in reply to Mr. Jenkinson, indulged in some good-humoured personalities.—The latter had been for some months a Commissioner for the affairs of India. (We first find his name in the list of the India Board 12th April, 1793.) "The honourable gentleman had on this, as on most occasions," he said, "expressed himself with a degree of confidence, which impressed his mind

with an idea, that though the hon. gentleman was not in the cabinet, yet he was so much in the secrets of Ministers, as to be supposed to deliver their sentiments. No other supposition, indeed, could warrant the manner in which that honourable gentleman delivered his opinions, unless we were to suppose that he had an *hereditary* knowledge of politics, and that a deep insight into the secrets of cabinets ran in his blood.—On the present occasion, he could not but conceive that he had passed the bounds (of the instructions he would not say, but) of the intimations, at the least, that had been given him by the right hon. gentlemen who sat on each side of him [Mr. Pitt and Mr. Dundas.]

Not to follow him through the greater part of his arguments, he should confine himself to take some notice of one or two positions, which seemed to meet the question on a fair manly ground. The honourable gentleman had openly and candidly stated, that the object of the war was the destruction of the Jacobin government in France; in order to effect which, our views must necessarily be turned to the destruction of Paris, the only probable means of effecting the end in view. Did the honourable gentleman, or the House, seriously suppose, that this object was so attainable as he had asserted? He had relied much on the successes of a campaign, which had

begun but a few weeks. He, (Mr. S.,) however, was afraid that the calamities of the campaign had been much greater than the successes, and that we had gained little else than honour.

"We were not one inch nearer Paris than we were before Landrecy was taken; in fact, we continued nibbling round the rind of this country, which we were so shortly to enter in spite of all opposition. However, the honourable gentleman had discovered, that though French opinions might be harmless in themselves, yet when backed by the power of France it became necessary to oppose them. If Ministers really did mean to avow this as their object, they had not even steadily pursued it; for the West-India expedition was a deviation; and every guinea, and every man employed to that purpose was a grand defection from that great object. Lord Hood, who was now knocking his head against the walls of Bastia, was of very little service, if he were even successful in his present attempt, with regard to the final object. We ought not to have endeavoured to pilfer an indemnity, without considering the interests of the allies who were contending in a common cause. He was afraid that we could not reproach even our most faithless allies. If all cant and hypocrisy were laid aside, it would, perhaps, appear, that we had entered into this Swiss romance, this mercenary crusade, for no

other purpose at first than to share the spoil of France; and afterwards we had graced our iniquity with calling this a war of religion!"

This important debate terminated by Mr. Fox's motion being negatived: 208 members voting for the previous question, and but 55 for the motion before the House.

The session was closed July 11, by a speech from the Throne, congratulating Parliament on the acquisitions lately made in the East and West Indies, and on the splendid victory of Lord Howe on the 1st of June.

Before Parliament again met, some changes took place in the Administration. Earl Fitzwilliam became Lord President of the Council; Earl Spencer, Lord Privy Seal; the Duke of Portland, third Secretary of State; and Mr. Windham, Secretary at War: towards the close of the year Lord Fitzwilliam was appointed Lord-lieutenant of Ireland.

The acceptance of office by these distinguished Whigs proved exceedingly mortifying to some of their party. Mr. Sheridan's indignation and "bitterness" overflows, on this occasion, in one of his most brilliant speeches. Lord Mornington had contrasted certain privations and *sacrifices* demanded by the French Minister of Finance, with those required of the British people. "The noble Lord," said Sheridan, "need not remind us

that there is no great danger of our Chancellor of the Exchequer making any such experiment. I can more easily fancy another sort of speech for our prudent Minister. I can more easily conceive him modestly comparing himself and his own measures with the character and conduct of his rival, and saying, 'Do I demand of you, wealthy citizens, to lend your hoards to Government without interest? On the contrary, when I shall come to propose a loan, there is not a man of you to whom I shall not hold out at least a job in every part of the subscription, and an usurious profit upon every pound you devote to the necessities of your country. Do I require of you, my latest and most zealous proselytes, of you who have come over to me for the special purpose of supporting the war—a war, on the success of which you solemnly protest, that the salvation of Britain, and of civil society itself, depend—do I require of you, that you should make a temporary sacrifice, in the cause of human nature, of the greater part of your private incomes? No, gentlemen, I scorn to take advantage of the eagerness of your zeal; and to prove that I think the sincerity of your attachment to me needs no such test, I will make your interest co-operate with your principle; I will quarter many of you on the public supply, instead of calling on you to contribute to it; and, while their whole thoughts are absorbed

in patriotic apprehensions for their country, I will dexterously force upon others the favourite objects of the vanity or ambition of their lives.'"

Mr. Jenkinson was absent from his place in Parliament this Session, urging a debate of a yet more interesting character; and March 25, 1795, married the Hon. Lady Theodosia Louisa, third daughter of Frederick Augustus Hervey, fourth Earl of Bristol and Bishop of Derry.

Osbert de Hervey, the direct ancestor of her Ladyship's family, is mentioned as one of the King's Justices at Norwich with Roger le Bigot, in the year 1190; Adam de Hervey, his son, was in ward to King John; and a John Hervey, his grandson, was knight of the shire for the county of Bedford in 1386. From him descended William Hervey of Ickworth, who died in 1538, having issue John, ancestor of the Earls of Bristol, and Sir Nicholas, ancestor of William, created Baron Hervey in Ireland 1620, and of Kidbrook, in the county of Kent, 1528. The last titles became extinct on his death in 1642; but John Hervey revived them, becoming Baron Hervey of Ickworth in 1703, and Earl of Bristol in 1714. The second Earl was his grandson, as was also the third, who married the celebrated Elizabeth Chudleigh, afterwards Duchess of Kingston; and the fourth.

Parliament assembled for the session of 1795-6,

on the 29th of October: its opening being attended by a disgraceful manifestation of the influence of the new democratic doctrines with the mob. In his way to the House of Lords through the Park, the King's coach was surrounded on every side, by persons demanding peace, and the dismission of Mr. Pitt. Some were even heard exclaiming, "No King!" and stones were thrown at the state coach as it drew near to the Horse-Guards. In passing through Palace-yard, one of the windows was broken, it was said, by a bullet, discharged from an air-gun. These outrages were repeated on the King's return from the House, and he narrowly escaped the fury of the populace in proceeding from St. James's Palace to Buckingham House.

His Majesty's speech from the throne was on all hands allowed to be appropriate to the circumstances of the time. It mentioned the disappointment of the French in their attempts in Germany, and the internal difficulties under which they continued to labour. Their present situation afforded a well-founded presumption, that they would listen to equitable and moderate terms of peace. In order to obtain such terms, it would be necessary to show that Great Britain was able to maintain the contest, till such a peace ensued as accorded with its dignity and interest. Other parts of the speech referred to the preparations

for a vigorous continuance of the war, the treaties concluded with foreign powers, the prosperous state of commerce, and the means of providing against the present scarcity.

The address, which was moved by Lord Dalkeith, was remarkable for being seconded by the late Lord Castlereagh, then Mr. Stewart, in his first speech delivered in the English House of Commons. He dwelt chiefly on the exhausted situation of France, and the oppressive methods it was reduced to adopt for the raising of supplies. The situation of this country was the reverse: whatever money was demanded was instantly found, without oppressing the subject; the confidence of monied men in Government keeping pace with all its exigencies. Much had been said of the conquest of Holland by the French, but they were obviously indebted much more to fortunate casualties, than to their own prowess, and could place little reliance on the attachment of the natives, who were now convinced of their imprudence in trusting to the friendship of the French.

On Mr. Sheridan controverting these statements with many invectives against Ministers, and advising Government to declare itself willing to treat with the French Republic; Mr. Jenkinson replied to him, repeating his former arguments in justification of ministerial measures.

He added, that "the retention of the United Provinces by the French, rendered all treating with them inadmissible. It was necessary, therefore, to compel them to abandon this new conquest, or to make such acquisitions as might counterbalance it, and induce them to give up the possession of that country. Had the members of the coalition acted with fidelity to the cause they had espoused, the French would, by this time, have been forced to abandon their lofty pretensions."

Upon commercial topics, Mr. Jenkinson might be expected, in the language of Mr. Sheridan, to have some claims to "hereditary knowledge." He always, at any rate, entered upon them with confidence: and on Mr. Grey's motion in the House of Commons, 10th March, 1796, for an Inquiry into the State of the Nation, he took a review of the effect of the war upon our commerce from its commencement.

He contended, that "the commercial situation of Great Britain, notwithstanding the weight of so great a war, was more prosperous than at any antecedent period. The average of exports, during the three last years of peace, the most flourishing ever known in this country, was twenty-two millions five hundred and eighty-five thousand pounds; and the same average for the last three years of war, was twenty-four millions four hundred and fifty-three thousand. The advantage in

the borrowing of money, at present, was one and a half per cent. greater than during the American war. At the close of the war in 1748, the national debt was eighty millions; in 1762, one hundred and forty: but had the present system, of appropriating a million annually to the extinction of that debt been fortunately adopted at the first of these periods, that heavy load would now have been totally thrown off the nation. The expenditure of the war was, doubtless, immense; but the exertions to which it was applied were of no less magnitude. Never was the energy of this country so astonishingly displayed, nor its resources so wonderfully proved: our fleets and armies were in a far superior condition, both as to numbers and equipment, to those maintained in the American war. It was unfair to complain of increasing expenses. The augmentation of price in all the articles of life and social intercourse, added, of consequence, the same proportion of increase in military expenses; nor ought the subsidies to our allies to be reputed extravagant, considering their utility to the common cause, by enabling these to act much more effectually against the foe, than if they were left to their sole exertions. The pressures of the enemy showed how wisely the treasures of this country had been employed by strengthening the power of his Continental adversaries, while our successes

at sea had reduced him to the lowest state of debility he had ever experienced on that element: it was, therefore, neither just nor prudent to represent this Country as distressed; and its Ministers as unworthy of confidence, and incapable of discharging their duty. They had shown themselves adequate to the various tasks imposed on them by the arduous contingencies of the war, and had not merited the aspersions so repeatedly cast upon them. There had been a time when far greater stretches of ministerial power were beheld without complaint. In the reigns of George I. and II., such was the implicit trust of the times in their integrity, that millions had passed through their hands for secret services, of which an explanation was not required. Hence it appears that the vigilance of Parliament in former days, however exalted above that of the present, was, in truth, not to be compared with that anxious and groundless jealousy with which the opponents to ministry watched over all its proceedings, in order to discover how they could render them suspicious to the public. On these grounds he considered the motion as ill-founded, and deserving no support from those who viewed the conduct of Ministers impartially, and with a determination to listen without prejudice to what they had to allege in their defence."

In the month of May, this year, Mr. Jenkinson

participated the honours of his family so far as to exchange that surname for the second title of his father, i. e. Lord HAWKESBURY: his venerable parent being now, as we have seen, created Earl of Liverpool.

The next topic of consideration to which we find him addressing himself, is the all-fruitful one of Ireland.

Mr. Fox, on the 2d of April, 1794, moved in the House of Commons, "That a humble address be presented to his Majesty, that his Majesty will be graciously pleased to take into his Royal consideration the disturbed state of his kingdom of Ireland, and to adopt such healing and lenient measures as may appear to his Majesty's wisdom best calculated to restore tranquillity, and to conciliate the affections of all descriptions of his Majesty's subjects, in that kingdom, to his Majesty's person and Government."

Sir Francis Burdett, on seconding this motion, was remarkably personal in his attack on Ministers. "Whoever," said he, "has seen Ireland, has seen a country where the fields are desolated, and the prisons overflowing with the victims of oppression; has seen the shocking contrast between a profligate extravagant Government and an enslaved and impoverished people. One person now immured within the walls of a dungeon in Dublin Castle, I have the honour to be con-

37369

nected with: for honour as well as happiness I shall ever esteem it." After a warm panegyric on the public and private virtues of Mr. O'Connor, Sir Francis said, "When such men become objects of hatred and fear to Government, it is not difficult to ascertain the nature of that Government. But perhaps, Sir, I may be charged with speaking more like a discontented Irishman than a true friend to the interests of England. Sir, I speak like a friend to humanity and liberty, and like an enemy to oppression and cruelty. I believe the interests of Ireland and of this country to be the same. I believe it for the interest of both countries, that both should be free. What was said by a great man respecting America, is still more applicable with respect to Ireland: 'I rejoice,' said Lord Chatham, 'in the resistance of America, because I believe three millions of men enslaved in that country would become the properest instruments for enslaving this.' There is, Sir, in my opinion, one way, and only one, for saving Ireland and England: that is, to divest the present Minister of that power which he has so long and so fatally abused, and to call him to a strict account for his conduct, before the tribunal of his country. If we have not resolution, if we have not energy, if we have not the means to accomplish this, I know not whether the coun-

try can be saved; but this I know, that it is not worth saving."

Mr. Pitt was not, however, at this time prepared for so summary a dismissal. He asked Mr. Fox, "whether the Parliament, by which the independence of Ireland was recognized, was more accommodating to the wishes of the Dissenters of the North, or to the Catholics of the South, than those of a subsequent period? Quite the contrary. Whatever alteration had since taken place, tended more and more to include both Dissenters and Catholics within the pale of both civil and political liberty than the principle recognized in 1782." But the main pillar of his defence of Ministers, in their conduct towards Ireland, and the ground of his objection to the present motion, was the unconstitutionality, the impropriety, and the dangers to be apprehended from the interference of the British Parliament in the affairs of Ireland; topics on which he expatiated with his usual ability, but in which it is impossible here to follow him.

Lord Hawkesbury, on this occasion, mainly recapitulated and applauded the arguments of Mr. Pitt. The great measure of a legislative union with Ireland obtained, soon after, his entire concurrence.

In December of this year, we find him support-

ing Mr. Pitt's triple assessment of the assessed taxes; and going, in the long debate that ensued on this subject, January 3rd, 1798, into a farther defence of the war. On this occasion, he admitted "that he had expected better things from the Continental members of the Confederacy than they had accomplished; but contended that our own particular measures were unimpeachable, and in a naval point of view, as successful as could have been hoped for."

On the 13th of May, 1798, the celebrated plan of the Minister for redeeming the land-tax was taken into final consideration. It had already endured the ordeal of five long debates.

Mr. Tierney contended, that "this measure struck at the foundation of our security in the possession of property, while, instead of raising, it would have a tendency to depress the public funds. Some gentlemen might perhaps run away with an idea, that this measure was for a redemption of stock, like that of the plan for a reduction of the national debt; but he denied that there was the slightest similarity between them. When stock should be purchased under the provisions of the plan now proposed, the stock would not vanish; the substance of the public burden would be still the same. It was only taking eighty millions nominally out of 'Change Alley for a while, to enable monied men to enlarge their capitals."

Mr. Jones said, that "there was a wonderful inclination to favour the monied interest: a set of people, according to the just description of them by Lord Chatham, ready to serve any set of men, provided they served them on their own terms."

A constitutional objection to the measure was stated with more force by Mr. Hobhouse. "The Land-tax had," he observed, "for a considerable number of years past, been annually voted for the payment of the army and navy. The control of Parliament over this branch of the public expense, serves to prevent a standing army from being made an engine of despotism in the hands of the Executive Government, and secures frequent meetings of Parliament. Now, Sir, I entirely concur with the Chancellor of the Exchequer, that if a sum to the same amount, and scrupulously devoted to the same purpose, be really subjected to the annual disposal of Parliament, the same beneficial end will be produced, the same check will be continued. But the consolidated fund ought not to be resorted to in this instance; it ought to be regarded as sacred, and preserved inviolate. It is appropriated to the payment of the national creditor, and you ought not to weaken his security. Besides, the constitutional power of this House will be merely nominal, not real. What member could, at any time, refuse his assent to the voting a sum already pledged by Parliament,

for the discharge of the interest arising from the public debt? Such a flagrant breach of faith none of us, I am sure, could approve. The consolidated fund, therefore, can furnish no actual substitute for the salutary check, which we now possess, upon the conduct of a profligate Minister."

But Sir Francis Burdett boldly adverted to other resources. After recapitulating the burdens to which landed gentlemen were peculiarly subject, he said, there were many other means by which money could be raised for the public besides this. The sale of the *crown lands* would produce a much larger sum. "Another object of supply; which, in a war peculiarly styled a war of religion, appears to me," he said, "a very proper one, is the revenue of *the church*. This is a source which I think might well afford something for the relief of the country. I shall mention another method of procuring money for the exigencies of the state, which readily presents itself; that is, the abolition, during the war at least, of all sinecure places and pensions, and imposing a tax on all emoluments. If any of these were resorted to, it would prove more efficient than the present measure, and would make no addition to the distress of the country. The burdens on the landholder are already too great. He is unable to keep his place in society: while new men, who

grow in wealth as the country declines, are every day rising around him: while public rewards are not given for any good done to the country, and while the only means he has left of repairing a decayed fortune, are to disgrace himself by a constant servility to the Crown, and an abject desertion of the people."

This variety of opinion, at any rate, proved the truth of the remark which Lord Hawkesbury now made, that "there never was a measure which had been allowed a more ample or a more full discussion: whence he was warranted," he said, "in inferring, that it was a measure which had met with the sanction and approbation of the country in general."

On the 22d of January, 1799, Mr. Secretary Dundas appeared at the bar of the House of Commons with the following important message from the Crown.

"GEORGE R.

"His Majesty is persuaded, that the unremitting industry with which out enemies persevere in their avowed design of effecting the separation of Ireland from this kingdom, cannot fail to engage the particular attention of Parliament; and his Majesty recommends it to this House to consider of the most effectual means of finally defeating this design, by disposing the Parliaments of both kingdoms to provide in the manner in which

they shall judge most expedient for settling such a complete and final adjustment, as may best tend to improve and perpetuate a connexion essential for their common security, and consolidate the strength, power, and resources of the British Empire."

Various patriotic men of both countries had long been of opinion, that a complete legislative Union between Great Britain and Ireland would be highly conducive to the welfare of the empire; and the present juncture appeared favourable to its accomplishment.

Mr. Sheridan declared on this occasion, that "he was perfectly ready to give credit to Ministers for purity of intention, as they could not be suspected of proposing a measure which, in their own opinion, tended ultimately to the separation of Ireland from Great Britain." He said that "the object of the measure was evidently a UNION, though the word itself was not to be found in it. But did the people of Ireland manifest any wish to unite? On the contrary, they had unequivocally declared themselves hostile to this design; and if it was effected, it would be by a union of fraud, force, and corruption, and intimidation. He asked how the terms of the *final adjustment* made and agreed to by the Parliaments of the two countries came to fail. Before the recommendation of the message was attended to, it was in-

cumbent upon Ministers to show that the last pledge of the English Parliament to the people of Ireland, by which their independence was recognized, and their rights acknowledged, had not produced that unanimity which the Parliaments of the two countries sought to cherish." He concluded with a motion expressing surprise at this circumstance, and humbly imploring his Majesty not to listen to those who should advise a union at this present crisis.

It is well known, that the Irish Parliament was not at this time willing to adopt the measure. Mr. Pitt acknowledged, that "he had been disappointed by the proceedings of the Irish House of Commons." Mr. Sheridan's amendment, however, was after some altercation withdrawn; and Mr. Pitt (31st January) carried eight resolutions, containing the plan upon which the Union was afterwards accomplished.

"Mr. Sheridan," Lord Hawkesbury observed, "had somewhat more than insinuated, that the people of Ireland were against an Union. The people of Cork, and the people of Limerick, had expressed themselves in favour of it, and when it once came to be duly considered, the whole people would view it in the same light." His Lordship, by the same arguments that had been used by Mr. Pitt, justified the vote he should give for the present propositions being submitted

to a Committee of the whole House, by way of recording what they were willing to do for promoting the interests of Ireland.

The harvest of this year (1799) was remarkably late and wet; circumstances which, together with the restrictions on our commerce occasioned by the war (for importation was only subject at this time to an unimportant duty), had occasioned an alarmingly short supply of the markets. Committees of the Lords and Commons were appointed to take this subject into consideration. They found that, although there had been a considerable importation of wheat, it was their duty to recommend various economical measures in regard to the use of wheaten flour. The Committee of the House of Commons reported, that they had heard with very great concern that persons had, through a mistaken charity, delivered bread and flour to the poor, in particular districts, at a reduced price. They recommended that relief should be given, as far as practicable, in any other articles, rather than flour, bread, or money; and advised the substitution of rice, soups, and potatoes, as much as possible in their stead. But what they chiefly recommended, was a prohibition respecting the baking of bread; with which Lord Hawkesbury concluded his speech in a Committee of the whole House, on the 18th of February, 1800.

His Lordship, quoting Mr. Arthur Young as his authority, stated, that "the crop in general in this country, it appeared, was not sufficient for the supply of its inhabitants; and that, when this and the ordinary importation failed, the best method that could be adopted was, the use of substitutes. The habits and prejudices of the people would at first," he said, "oppose their introduction. It was difficult to change old habits; but, for such a purpose as introducing substitutes for bread, the attempt should be persevered in. Were this plan adopted, this country would be found to contain in itself the means of feeding its inhabitants; at present, the mode of feeding it was not the most economical. Great economy might be introduced; and every one would rejoice that, by the efforts of Count Rumford, and other individuals following his methods, this economy was already reduced by many to practice. It appeared by the noble Count's calculations and statements, that one third more sustenance might be derived from many articles of provision, without abridging the luxuries of the rich, than was usually drawn from them. The use of substitutes, as suggested by the Committee, was particularly to be recommended in charities, and in parochial relief. Their introduction might not be effected at once; yet it must be recollected, that it was not the first year of scarcity, and that it

would not be the last. Within these five years, it was the second time that a scarcity had occurred." Lord Hawkesbury closed with a high encomium on the liberality which the rich had displayed in alleviating the distress, and in supplying the wants of the poor, and also on the poor for their becoming conduct; and moved, "That the Chairman be directed to report, that it was the opinion of that Committee, that leave be granted to bring in a bill to prohibit bakers from exposing any bread for sale, which had not been baked a certain number of hours." This motion was carried unanimously; and a bill being prepared, in which the blank for the number of hours was filled up with the words "twenty-four," it was carried through all its stages in Parliament, and received the Royal assent on the next day, February 20th.

Opposition, in the course of this month, made another and more violent attack than heretofore on the motives and conduct of the war. Feb. 28, Mr. Tierney moved, "That it was the opinion of that House, that it was both unjust and unnecessary to carry on the war, for *the purpose* of restoring monarchy in France." This motion was seconded by Mr. Jones, and supported by Mr. W. Bouverie and Mr. W. Smith. It was opposed by Mr. Elliott, Lord Hawkesbury,

Mr. Yorke, Sir G. P. Turner, Lord Belgrave, Colonel Elsford, and Mr. H. Browne. Lord Hawkesbury confined himself principally to disclaiming, on the behalf of Ministers, that motive for carrying on the war which the motion imputed.

CHAPTER III.

General situation of Great Britain at the commencement of 1801.—Question with Russia and the Northern Powers.—Treaty between France and America.—History of the Maritime Rights claimed by England.—Union with Ireland.—First meeting of the Imperial Parliament.—Agitation of the Catholic Question by Mr. Pitt.—Letter of Mr. Pitt to the King.—Mr. Pitt resigns.—Addington Administration.—Debates on the late changes in the Ministry.—Attack upon Copenhagen.—Measures of the new Ministers in regard to Ireland.—Subsidy to Portugal.—Motion of Mr. Jones respecting the Convention of El Arish.—Negotiations for peace with France.—Preliminaries signed on the 1st of October.—Debates on them in Parliament.—Mr. Windham's speech.—Debate on the Convention with Russia.—Treaty of Amiens.

WE now approach the period of Lord Liverpool's introduction into the Cabinet, and of his first possession of that important share in the public councils, which, with the exception of a very short interval, he retained for above a quarter of a century.

It will be convenient therefore to exhibit in this place, a sketch of the general state of the

public affairs of this country at the commencement of the year 1801.

Great Britain was still at war with her ancient foe, France. For the direction of this contest, and assisting occasionally in her public councils, even when opposing them, she possessed, perhaps, as able statesmen as ever appeared in her history: and in no war had more brilliant isolated triumphs attended her arms. But every plan of combining the powers of Europe against the enemy had failed: too many of her Parliamentary leaders were determinately the chiefs of a party, and to accomplish *its* triumphs, not the triumph of the country, they toiled — while the resources, the patient endurance of the people, and their characteristic attachment to their political institutions were never so severely tried.

The resources of the enemy, on the other hand, were combined and directed by her ablest modern chieftain, Napoleon Buonaparte, now in the youth and energy of his ambition. If afterwards that energy assumed the character of an unnatural and maniac strength, there was a method in it at this time, sufficiently fearful. He had already prostrated before him all the parties of the Revolution, and every enemy of Revolutionary France but England.

Austria, humbled by the decisive victories of the French at Marengo and Hohenlinden, only

attempted a feeble renewal of hostilities at the opening of the year, to be compelled to sign in February the treaty of Lunéville, by which she abandoned to the French almost the whole of Italy; and acknowledged the left bank of the Rhine for the boundary of the Republic.

Russia and the Northern Powers in the interim, had been urged by the agents of France to renew the principles of the Armed Neutrality of 1780, that free and neutral ships make free and neutral goods, and denying the right of any belligerent to search neutral vessels. This question, however, always of the first importance to this country, had become now deeply tinged, not only with the general policy of the Russian Government towards England, but with the personal character and capricious partialities of the Emperor Paul. He had at this time fixed his heart on obtaining Malta; and, in his former alliances with England and Austria, seems at least to have been allowed to entertain hopes of possessing it. He had assumed therefore the title of Grand Master of Malta, and in August, 1800, a Russian fleet with troops, had sailed from the Black Sea, for the express purpose of taking possession of the island when it should surrender. On this event transpiring, however, England occupied the place, and his fleet remained for some time at

anchor, waiting for orders in the canal of Constantinople.

Nor is it unimportant, however trivial on the present head, to mention, that the Emperor was highly offended by the caricatures of his person published in London; and which Buonaparte did not fail to have transmitted regularly to St. Petersburg. Little more than a year after his proclamation for restoring the Bourbon family, he sent a splendid embassy to Paris, which was met at Brussels by General Clarke, and conducted by him to the French capital. On the 19th of January, 1801, a decree of the Consular Government was issued, by which all vessels of the Republic, and all cruisers bearing the French flag, were forbidden to interrupt the ships-of-war, or the commerce of the Emperor of all the Russias, or of his subjects; on the contrary, all French vessels were ordered to afford succour and aid to the ships of Russia.

But without the concurrence of Prussia, the hostilities of the northern powers could not have been attended with any permanently bad effects to England. Commanding an extensive maritime coast, and the navigation of all the great rivers from the Rhine to the Eider on the north of Germany, it was in her power to render it truly formidable; especially at this time, when Great Bri-

tain, under the pressure of an unusual scarcity, was looking to the Prussian ports for a large supply of corn.

Buonaparte therefore neglected no effort to attach the Prussian Monarch to the new confederacy. His brother Louis was sent to Berlin with full powers to accomplish this object; and a happy opportunity occurred for promoting it, in the mission of the Marquis de Lucchesini to Paris, to take care of the interests of Prussia, during the negotiations at Lunéville.

Having thus prepared the way, the First Consul openly avowed his intention to rouse the whole of Europe against England. In a message to the Legislative Body, February 13, respecting the treaty recently concluded with Austria, "Why is it," he said, "that this treaty is not a general pacification? This was the wish of France! This was the constant object of the efforts of its Government. But all its efforts have been in vain. Europe knows all that the British have done to prevent the success of the negotiations at Lunéville. It advances pretensions contrary to the dignity and the rights of all nations. All the commerce of Asia, and immense colonies, are no longer sufficient to satisfy its ambition. It is necessary that all the seas should besubjected to the exclusive sovereignty of England. It arms against Russia, Denmark, and Sweden, because

Russia, Denmark, and Sweden, have by treaties mutually guaranteed their sovereignty, their independence and their flags. The powers of the North, unjustly attacked, have a right to rely on the assistance of France."

The Western World was called upon to echo these sentiments. On the 30th of September, 1800, the United States of America concluded a treaty with the French Republic, on the principle, that free ships make free goods, contraband excepted. Passports from any place from whence any vessel should have sailed, with certificates ascertaining cargoes, were to be sufficient guarantees, on both sides, to merchant vessels, against all insults. It was agreed, that the citizens of the two nations might navigate and trade in perfect freedom and security, with their merchandize and ships, in the country, and ports of the enemies of either party, unless they should be actually besieged, blockaded, or invested. The only articles forming contraband during war, were understood to be gunpowder, salt-petre, petards, matches, balls, bullets, bombshells, pistols, halberts, cannons, harnesses, artillery of all sorts, and, in general, all kinds of arms and implements for the equipment of troops. These articles when found destined for an enemy's port, were exposed to confiscation; but the ship with which they were freighted, as well as the rest of the cargo, were to

be regarded as free. It was stipulated, that all things on board should be reckoned free belonging to the citizens of one of the contracting parties, although the cargo, or part of it, should belong to the enemies of one or other, contraband goods always excepted. The ships of war and privateers of each party, were to keep out of cannon shot of each other on the sea, and send their boats to the merchant vessels they should meet. It was expressly agreed, that the neutral should not be obliged to go on board the visiting vessel, to produce his papers, or to give any information whatever.

Such were the stipulations of this treaty with regard to the conduct to be held on the sea by the cruisers of the belligerent party, to the traders of the neutral party sailing without convoy; in the case of ships under convoy, it was not to be lawful to visit them. The verbal declaration of the commandant of the escort, that the vessels under his convoy belonged to the nation whose flag he carried, and that they had nothing contraband on board, was to be considered by the respective cruisers as fully sufficient.

We cannot enter into the more minute provisions of this remarkable compact, intended evidently to be a model of that code of maritime law, by which France hoped to deprive Great Britain

of every substantial advantage of her naval superiority.

To show the reciprocity of principle now existing on this subject between the United States and the Northern Powers, it may be remarked, that soon after the conclusion of this treaty between France and America, an ambassador was for the first time sent from Denmark to those States.

Between England and Sweden, in the meantime, more than one occasion had occurred for insisting upon a very different neutral code. So far back as January, 1798, a fleet of Swedish merchantmen carrying pitch, tar, hemp, deals, and iron, to the ports of France, was taken from under the convoy of a ship of war, and proceeded against for resisting the search of some British cruisers, when Sir William Scott, the able judge of our Admiralty court, condemned the ships and cargoes; taking an elaborate view of the general question of neutral rights in such a case, according to the established law of nations.

As this was now a subject of considerable moment to Great Britain, the following historical and practical view of its chief bearings, from a respectable publication of the day, will not be misplaced.

"England claimed, what she had always exercised, a right of visitation and search. Spain,

France, Holland, and other maritime states, constantly claimed the same right, whenever their interest required it; and they possessed power sufficient to enforce it. In a word, the rights claimed by England, in regard to neutral vessels, had been justified by the practice of Europe for centuries. They had been long recognized by the common acquiescence of all nations, when they were attacked by the doctrines of the famous armed neutrality of 1780. "Not many months had passed after the date of the maritime law promulgated by Russia, before Sweden, Denmark, and Prussia, bound themselves by treaty, not only to adopt her laws, as obligatory on themselves, but to insist in imposing them by force on all other powers, and particularly on this country.

Ten years did not elapse, before *the authors* of that new system, which had been framed to last for ages, were themselves the first to violate it. In 1793, the Empress of Russia proposed, and actually concluded a treaty with Great Britain, for co-operating in the late war with France. She expressly engaged to unite with his Britannic Majesty all her efforts to prevent other powers, not implicated in this war, from giving any protection whatsoever, directly or indirectly, in consequence of their neutrality, to the commerce or property of the French, on the sea, or in the ports of France; and, in execution of this treaty, she sent

a fleet into the Baltic and North seas, with express orders to her admiral, to search all Danish merchant ships sailing under convoy. Thus, the Empress of Russia, when at war with France, felt the justice, as well as the expediency, of resorting to the ancient system of public law. The same system was adopted by her successor with redoubled ardour. So lately as the year 1799, the Russian Emperor Paul I., threatened the Danes with immediate hostilities, on account of their partiality to France, of which he stated one symptom to be, their supplying assistance and protection to the trade of France, under the neutral colours of the Danish flag; and if the Emperor did not carry these threats into execution with as much intemperate haste, as he did his menaces in other instances, it was owing solely to the amicable interference of Great Britain, which Denmark repeatedly acknowledged.

"An article, similar to that in the Russian Convention in 1793, was agreed to between Great Britain and Prussia, another party, as already observed, to the armed neutrality of 1780. The same was likewise agreed to by Spain, and engagements of similar import were entered into by Austria, as well as by Portugal and Naples. Denmark expressly renounced the principles of the league of 1780, both by her own edicts, and

by a formal treaty. The rescript, published at Copenhagen at the commencement of the present war, for pointing out to the Danish merchants, the nature and limits of their neutral trade, instead of being founded on those principles, was in direct contradiction to them. The Danes were there expressly commanded not to attempt to carry in neutral ships any property of the belligerent nations. In the year 1794, a convention was signed between the Courts of Sweden and Denmark, for the mutual preservation of their neutral commerce, during a war, in which almost every country in Europe was then actually engaged. This treaty, being duly ratified, was by them communicated to the British Government. In the second article, they declared their adherence to their respective treaties with all the different powers at war, without exception; and by the third, they bound themselves to each other, and to all Europe, that, in all matters not expressed in their existing treaties, they would not pretend to any other advantages than those which were founded on the universal law of nations, such as it was recognized and respected, up to that moment, by all the powers and all the sovereigns of Europe."*

Such were the principles of maritime law, then, upon which Great Britain, though engaged with

* Dodsley's Annual Register, 1801.

nearly all the world in hostility against them, still resolved to act. We have seen the dispositions of Sweden and Russia to ally themselves with or assist her implacable foe: similar dispositions were manifested by Denmark. But an embassy dispatched to Copenhagen in August, 1800, supported by a squadron of nine sail of the line, four bomb and five gun vessels, had for the moment hushed the storm rising in that quarter. The Convention of the Northern Powers, however, was signed at St. Petersburg on the 19th of December, 1800: Prussia at once acceded to it; and the Russian Emperor applied to the Court of Portugal and Naples, to urge them to close their ports against British vessels.

In Egypt, the French army which Buonaparte had abandoned still maintained its footing, and had, during the past year, on the rupture of the treaty of El Arish, obtained a decisive victory over the Turks; but soon after the re-commencement of hostilities, the French general, Kleber, was assassinated.

In the East Indies only was Great Britain decidedly triumphant. She had there finally humbled the most formidable opponent that ever arose against her power, Tippoo Saib, and possessed herself of the greatest part of his dominions. No native or other power, indeed, now vied with her in Hindoostan.

The narrative of events in our preceding chapter exhibited the Minister (31st January, 1799) proposing a series of resolutions in the House of Commons, on which the legislative union between Great Britain and Ireland was ultimately grounded.

On the 1st of January, 1801, this important measure was carried into effect. A proclamation was issued, declaring the King's pleasure concerning the royal style, titles, and armorial ensigns, hereafter to be used as appertaining to the imperial crown of Great Britain and Ireland. The regal title was in future to be in Latin, "Georgius Tertius, Dei gratia, Britanniarum Rex, Fidei defensor:" in English, "George the Third, by the grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith:" and in honour of the Union, many new titles were conferred on the nobility of Ireland. This was the last important domestic measure of the Administration.

The Imperial Parliament first assembled on the 22nd of January, and so little were the arrangements of the following month then anticipated, that Mr. Addington was again chosen Speaker of the House of Commons. In the debate on the Address in that House, Mr. Cornwallis, who seconded the address, observed, that "in order to give the Union full effect, many measures, conse-

cutive upon it, would no doubt be adopted: and that to heal divisions, it was desirable that nothing 'consistent with the full security of the Protestant religion in Ireland' should be omitted." This called forth a remark from Mr. Grey, that "he should have augured more favourably of the Union, had he found that the King's speech contained a recommendation, as it was reported it would, to consider of taking off those disabilities to which the Catholics of Ireland were subject." But no other notice was taken of this weighty question: Mr. Pitt, though he replied to Mr. Grey, did not at all advert to it, or to the peculiar situation of the Cabinet at this time.

That distinguished statesman commanded at this period a great and steady majority in the House of Commons. In this debate he defended the recent public measures with unshrinking energy and irresistible eloquence; and upon all the great points of our external policy, the Cabinet which was to succeed agreed with him. It has also been rendered unquestionable, within the last few weeks, that he enjoyed at this time the undiminished personal favour and preference of the King.*

* We allude particularly to those condescending expressions in Mr. Pitt's favour, which occur in one of the letters of his late Majesty to Mr. Pitt recently published:—

"Though I do not pretend to have the power of changing

Yet he was himself, perhaps, more desirous that the effect of farther negotiations with France should be tried, than willing to enter upon them: he knew that the difficulties of the country must be materially relieved by a period of repose, however short, while he seems to have had an invincible repugnance to treating with Buonaparte. His latest Cabinet measures, therefore, were directed towards placing the public affairs in the best situation to treat for peace, i.e. that in which we seemed still to command the events of war; and whatever merit belonged, in this respect, to the expeditions to Egypt and to Copenhagen, appertains to this closing period of Mr. Pitt's ministry.

The Catholic Question, however, as it has of late been called, was the ostensible and immediate cause of his resignation. We have seen that this event was unexpected. The Minister and his colleagues, while they abstained from any pledges of a positive kind, induced the Catholics of Ireland to concur in the measure of an union with

Mr. Pitt's opinion, when thus unfortunately fixed, yet I shall hope his sense of duty will prevent his retiring from his present situation *to the end of my life*, for I can with great truth assert, that I shall, from public and private considerations, feel great regret, if I shall ever find myself obliged, at any time, from a sense of religious and political duty, to yield to his entreaties of retiring from his seat at the Board of Treasury."—*Letter of his late Majesty King George III. to Mr. Pitt*, dated "*Queen's House*, 1*st Feb.* 1801."

Great Britain, by expressing a confident opinion as to the result of that measure being favourable to their supposed claims. He gave them reason to expect that their full participation of political power and privileges might be then "proposed" with advantage, particularly if they maintained a tranquil behaviour: any more explicit pledge, Mr. Pitt denied having given. Still, as we shall soon perceive, and as the correspondence on the subject recently published fully proves, Mr. Pitt retired from power at this time, because he was unable to "bring forward a measure of that sort" as "*a measure of Government.*"* He seems at first to have been unaware of the strong repug-

* His words were, (on the debate on Mr. Grey's motion, afterwards alluded to,) "I mean this, that a measure of that sort appeared to me to be of much importance under all the circumstances; and that, being unable to bring it forward as a measure of Government, I thought I could not, therefore, in honour, remain in the situation in which I then stood: and that I was desirous of letting it also be understood, that, whenever the objection I alluded to did not exist, the same obstacle did not interpose, every thing depending on me, as well as those who thought with me, I should do; for that I was desirous of carrying that measure, thinking it of great importance to the public at large. But that, in the meantime, if any attempt to press it, so as to endanger the public tranquillity, should be made, or any attempt to pervert the affection of any part of his Majesty's subjects, we should take our full share in resisting such attempts, and we should do so with firmness and resolution."

nance to such a measure in the highest quarter; and, though not explicitly pledged on the point, to have been unwilling to relinquish afterwards what he thought of so "much importance under all the circumstances;" and which might by implication, and the interpretation of others, be thought to affect his "honour."

The importance of this subject is undiminished. Lord Liverpool it is well known did not decide upon it, either with this his great predecessor in office, or his successors. But Mr. Pitt's opinions upon such a topic must be referred to so long as it shall be discussed. We therefore insert below* his

* LETTER OF MR. PITT TO THE LATE KING.

"Downing-street, Saturday, Jan. 31, 1801.

"Mr. Pitt would have felt it, at all events, his duty, previous to the meeting of Parliament, to submit to your Majesty the result of the best consideration which your confidential Servants could give to the important questions respecting the Catholics and Dissenters, which must naturally be agitated in consequence of the Union. The knowledge of your Majesty's general indisposition to any change of the laws on this subject would have made this a painful task to him; and it is become much more so by learning from some of his colleagues, and from other quarters, within these few days, the extent to which your Majesty entertains, and has declared, that sentiment.

"He trusts your Majesty will believe, that every principle of duty, gratitude, and attachment, must make him look to your Majesty's ease and satisfaction, in preference to all considerations, but those arising from a sense of what in his

able letter to the King at this juncture. It is a paper, indeed, which belongs to the narrative of Lord Liverpool's introduction to power.

honest opinion is due to the real interest of your Majesty and your dominions. Under the impression of that opinion, he has concurred in what appeared to be the prevailing sentiments of the majority of the Cabinet—that the admission of the Catholics and Dissenters to offices, and of the Catholics to Parliament (from which latter the Dissenters are not now excluded), would, under certain conditions to be specified, be highly advisable, with a view to the tranquillity and improvement of Ireland, and to the general interest of the United Kingdom.

"For himself, he is, on full consideration, convinced that the measure would be attended with no danger to the Established Church, or to the Protestant interest in Great Britain or Ireland:—that now the Union has taken place, and with the new provisions which would make part of the plan, it could never give any such weight in office, or in Parliament, either to Catholics or Dissenters, as could give them any new means (if they were so disposed) of attacking the Establishment:—that the grounds, on which the laws of exclusion now remaining were founded, have long been narrowed, and are since the Union removed:—that those principles, formerly held by the Catholics, which made them be considered as politically dangerous, have been for a course of time gradually declining, and, among the higher orders particularly, they have ceased to prevail:—that the obnoxious tenets are disclaimed in the most positive manner by the oaths, which have been required in Great Britain, and still more by one of those required in Ireland, as the condition of the indulgences already granted, and which might equally be made the condition of any new ones:—that if such an

In a few days from the date of this letter, Lord Grenville made the first public avowal of the con-

Oath, containing, (among other provisions) a denial of the power of Absolution from its obligations, is not a security from Catholics, the sacramental test is not more so:—that the political circumstances under which the exclusive laws originated, arising either from the conflicting power of hostile and nearly balanced sects, from the apprehension of a Popish Queen or Successor, a disputed succession and a foreign Pretender, and a division in Europe between Catholic and Protestant Powers, are no longer applicable to the present state of things:—that with respect to those of the Dissenters, who, it is feared, entertain principles dangerous to the Constitution, a distinct political test, pointed against the doctrine of modern Jacobinism, would be a much more just and more effectual security, than that which now exists. which may operate to the exclusion of conscientious persons well affected to the State, and is no guard against those of an opposite description:—that with respect to the Catholics of Ireland, another most important additional security, and one of which the effect would continually increase, might be provided, by gradually attaching the Popish Clergy to the Government, and, for this purpose, making them dependant for a part of their provision (under proper regulations) on the State, and by also subjecting them to superintendance and control:—that, besides these provisions, the general interests of the Established Church, and the security of the Constitution and Government, might be effectually strengthened by requiring the Political Test, before referred to, from the preachers of all Catholic or Dissenting Congregations, and from the Teachers of Schools of every denomination.

"It is on these principles Mr. Pitt humbly conceives a new security might be obtained for the Civil and Eccle-

templated changes and their cause in the House of Lords. He stated that "Ministers had for

siastical Constitution of this country, more applicable to the present circumstances, more free from objection, and more effectual in itself, than any which now exists;—and which would, at the same time, admit of extending such indulgences, as must conciliate the higher orders of the Catholics, and by furnishing to a large class of your Majesty's Irish subjects a proof of the good will of the United Parliament, afford the best chance of giving full effect to the great object of the Union—that of tranquillizing Ireland, and attaching it to this country.

"It is with inexpressible regret, after all he now knows of your Majesty's sentiments, that Mr. Pitt troubles your Majesty, thus at large, with the general grounds of his opinion, and finds himself obliged to add, that this opinion is unalterably fixed in his mind. It must, therefore, ultimately guide his political conduct, if it should be your Majesty's pleasure, that, after thus presuming to open himself fully to your Majesty, he should remain in that responsible situation, in which your Majesty has so long condescended graciously and favourably to accept his services. It will afford him, indeed, a great relief and satisfaction, if he may be allowed to hope, that your Majesty will deign maturely to weigh what he has now humbly submitted, and to call for any explanation, which any parts of it may appear to require.

In the interval which your Majesty may wish for consideration, he will not, on his part, importune your Majesty with any unnecessary reference to the subject; and will feel it his duty to abstain himself, from all agitation on this subject in Parliament, and to prevent it, as far as depends on him, on the part of others. If, on the result of such consideration, your Majesty's objections to the measure proposed

some time past thought it *expedient* that the benefits of the Union should be rendered as great

should not be removed, or sufficiently diminished to admit of its being brought forward with your Majesty's full concurrence, and with the whole weight of Government, it must be personally Mr. Pitt's first wish to be released from a situation, which he is conscious that, under such circumstances, he could not continue to fill but with the greatest disadvantage.

At the same time, after the gracious intimation which has been recently conveyed to him, of your Majesty's sentiments on this point, he will be acquitted of presumption in adding, that if the chief difficulties of the present crisis should not then be surmounted, or very materially diminished, and if your Majesty should continue to think, that his humble exertions could, in any degree, contribute to conducting them to a favourable issue, there is no personal difficulty to which he will not rather submit, than withdraw himself at such a moment from your Majesty's service. He would even, in such a case, continue for such a short farther interval as might be necessary, to oppose the agitation or discussion of the question, as far as he can consistently with the line to which he feels bound uniformly to adhere, of reserving to himself a full latitude on the principle itself, and objecting only to the time, and to the temper and circumstances of the moment. But he must entreat that, on this supposition, it may be distinctly understood, that he can remain in office no longer than till the issue (which he trusts on every account will be a speedy one) of the crisis now depending, shall admit of your Majesty's more easily forming a new arrangement; and that he will then receive your Majesty's permission to carry with him into a private situation that affectionate and grateful attachment, which your Majesty's

and as extensive as possible, by the removal of certain disabilities, under which a great portion of the inhabitants of Ireland laboured. Imagining," he added, "that this measure could alone be effectual, if coming from the Executive Government, we felt it our duty to propose it to those who direct his Majesty's councils. It was not deemed eligible, and we were unable to prevail. Our opinion of its policy remaining unaltered, and still thinking that, and that alone, could establish the tranquillity and prosperity of the empire on a permanent basis, we considered ourselves bound to retire. Accordingly, we tendered to his Majesty the resignation of our several employments; and he has been graciously pleased to dispense with our services. Thus, my Lords, we only hold our offices till our successors are appointed."

A letter from Mr. Addington to the Clerk of

goodness for a long course of years has impressed on his mind —and that unabated zeal for the ease and honour of your Majesty's Government, and for the public service, which he trusts will always govern his conduct.

"He has only to entreat your Majesty's pardon for troubling you on one other point, and taking the liberty of most respectfully, but explicitly, submitting to your Majesty the indispensable necessity of effectually discountenancing, in the whole of the interval, all attempts to make use of your Majesty's name, or to influence the opinion of any individual, or descriptions of men, on any part of this subject."

the House was read in the House of Commons the same day, notifying his acceptance of a situation under the Crown, which rendered it incompatible with his duty to retain the Speaker's chair; and on the following day, Sir John Mitford (the present Lord Redesdale) was, on the motion of Lord Hawkesbury, chosen to succeed him. This was on the 10th of February.

On the 16th, an indisposition of the King was announced, which retarded the completion of the ministerial changes; and which was not entirely removed until the middle of March. Mr. Pitt therefore felt it his duty, before retiring from office, to bring before the House of Commons, the budget of expenditure, and ways and means, which he had prepared as Chancellor of the Exchequer. The sum stated as the amount of the necessary supplies, was upwards of thirty-five millions and a half for Great Britain and Ireland; to defray which, besides new taxes, a loan of twenty-five and a half millions was proposed. The proportion of expenses to be paid by the two countries, as settled by the Act of Union, was two-seventeenths by Ireland, and fifteen-seventeenths by Great Britain.

On the 14th of March the new Ministry was announced. It consisted of:—

Mr. Addington—First Lord of the Treasury, and Chancellor of the Exchequer.

Duke of Portland—President of the Council.
Lord Eldon—Chancellor.
Earl of Westmoreland—Lord Privy Seal.
Earl St. Vincent—First Lord of the Admiralty.
Earl of Chatham—Master-General of the Ordnance.
Lord Pelham—Secretary of State for the Home Department.
Lord Hawkesbury—Secretary for the Foreign Department.
Lord Hobart—Secretary for the Department of War and the Colonies.
Lord Lewisham (succeeded by Lord Castlereagh)—President of the Board of Controul.
Right Hon. Charles Yorke—Secretary at War.
Earl of Liverpool—Chancellor of the Duchy of Lancaster.
Right Hon. Dudley Ryder (now Lord Harrowby)—Treasurer of the Navy.
Right Hon. Thomas Steele and Lord Glenbervie—Joint Paymasters of the Forces.
Lord Auckland and Lord Charles Spencer—Joint Postmasters-General.
John Hiley Addington and Nicholas Vansittart, Esqrs.—Secretaries of the Treasury.
Sir William Grant—Master of the Rolls.
Sir Edward Law (afterwards Lord Ellenborough)—Attorney General.
Honourable Spencer Perceval—Solicitor General.
Earl of Hardwicke—Lord Lieutenant of Ireland.
Earl of Clare—Lord Chancellor of Ireland.
Lord Castlereagh (succeeded by Mr. Wickham)—Chief Secretary.
The Right Hon. Isaac Corry—Chancellor of the Exchequer for Ireland.

The Administration, it will be seen, comprised several members of the former Cabinet; and the

Opposition, of course, being wholly passed over, in the new arrangements, continued to act upon their former principles. Mr. Grey, on the 25th of March, moved in the House of Commons for an inquiry into the state of the nation; and introduced his motion by a review of the whole conduct of Mr. Pitt's ministry. To those who composed it he imputed all the misfortunes which overwhelmed Europe: all was, on their side, disaster and disgrace; while the mighty genius who governed France, trusting to the resources of his own mind, restored life and energy to the Government; led on his armies to victory, and laid his enemies at his mercy. He particularly eulogized the confederated powers of the North; and censured the late Ministers for resigning their places; spoke of "an engagement which they had contracted with the Catholics in Ireland;" and arraigned them for entering into it without the knowledge of the Crown.

Mr. Dundas, in defence of the measures of Ministers during the war, produced a list of conquests, beginning with the capture of Tobago, in 1793, and ending with the reduction of Malta, in 1800.—In farther illustration of "the disastrous policy of Ministers," he exhibited a list of ships taken or destroyed since the commencement of the contest. Mr. Dundas proved, from a comparison of the conquests effected, and ships taken,

in the seven years war, conducted by the late Lord Chatham, with the same results in the present war, that the latter had been successful beyond any other. "With this result before him," he added, "the Minister, who, for so many years, had guided the councils of this country, and had superintended the conduct and operations of the war, need not be afraid to transmit his fame to posterity, as a companion to that of his illustrious father."

In reply to Mr. Grey's observations on the change of Ministers, Mr. Dundas denied that "there was any mystery in the transaction, as had been asserted;' and affirmed that those who resigned on account of a serious difference of opinion, must have incurred the most severe and merited censure, had they acted otherwise; but they retired in no disgust, nor in any spirit of faction. They perceived, with heartfelt satisfaction, that the talents, the character, and the virtues of their successors had entitled them to the confidence of their Sovereign; and he could only prove the sincerity of this feeling, by declaring his determination to give them his decided support in whatever way it could be useful."

Mr. Pitt corroborated this statement, and expressed the same opinion of his successors. He observed, "that they were not new to the House or the public; or to the love and esteem of both."

In an eulogium on the character of the Chancellor of the Exchequer, and Lord Hawkesbury in particular, he asked the gentlemen on the opposite side of the House "if they knew any one among them superior to the noble Secretary—saving, indeed, one person, unnecessary to name, whose transcendent talents made him an exception to almost any rule?" Respecting the measure which had induced him to quit office, he said, that "he believed the importance of it, and the circumstances by which it was attended, to be such, that while he remained in office he should have been unable to bring it forward in the way which was likely to be eventually successful; and, therefore, he judged that he should serve the public less beneficially, as well as the parties who were more immediately the objects of it, in making the attempt, than in desisting from the measure. His idea of the measure itself was, that it was one which, upon the whole, had better have been adopted than refused, under all the circumstances; such was, also, the idea of those who had acted with him, and they had, therefore, thought it better that they should quit their offices than continue, under such circumstances, in his Majesty's service. In doing this, they had acted purely from principle; they had acted in such a manner as to satisfy their own minds, which was to them important: and he hoped they had acted in such

a manner as would, one day or other, be perfectly satisfactory to the public."

Adverting to the measure itself, had he proposed it, as at one time he wished, "it was not one," he said, "which the Opposition were likely to look on lightly, although he should have had the good fortune to have had their support if he had brought it forward, that is, in one part of it; but he did not think *that they would have approved of the whole of it;* nor did he believe that they would have favoured the whole of *the principle* on which he should have proposed the measure. He declared he was not anxious to have the question agitated at all, at that moment. He did not think that that was a period, in which it could be agitated beneficially to the public, or to the Roman Catholics themselves; but, whenever it should be agitated, he should be ready and willing to go fully into it, and to give his opinion at large upon it. He would only say at present, that as to any thing which he and his colleagues, had it in contemplation to bring forward, he *disclaimed the very words* in common use,—'the Emancipation of the Catholics,' or 'Catholic Emancipation.' He had never understood the situation of the Catholics to be such; he did not then understand it to be such, as that any relief from it could be correctly so described; but he thought the few remaining benefits of which they had not yet par-

ticipated, might have been added safely to the many benefits which had been so bounteously conferred on them, in the course of the present reign. He had been of opinion, and he still was of opinion, that those benefits, if they had preceded the Union, would have been rash and destructive. He had been of opinion then, he was of opinion now, that the very measure to which he alluded, as a claim of right, could not be maintained; and it was on the ground of *liberality* alone, and political expediency, that he should have thought it desirable, advisable, and important; but he would not have had it founded on a naked proposition, to repeal any one thing, which former policy had deemed expedient for the safety of the Church and State. No, it was a comprehensive and an extensive system which he meant to propose; to relinquish things certainly intended once as a security, which he thought, in some respects ineffectual, and which were liable to additional objections, from the very circumstance of the object of the Union having been accomplished, and providing other security for the same objects; to have a more consistent and rational security, both in Church and State, according to the principle, but varying the mode, which the wisdom of our ancestors had adopted, for the prevention of danger. The measure he intended to propose, he thought, would give more safety to

the Church and State, as well as more satisfaction to all classes, and all descriptions, of the King's subjects, and take away only that which no man would wish to remain, provided there could be perfect security without it!"

It is unfortunate that we find no authentic details of the measure Mr. Pitt alluded to, as the one he would have proposed: and it is to be observed, that Lord Liverpool and his colleagues have ever resisted general motions on this question, on the ground that none of the securities, on which this great man dwells so strongly, have accompanied them. But we shall have occasion to recur to this subject.

No important measures of the new Ministry could become topics of discussion in this sitting of Parliament, but important events to the country occupied the spring and summer.

With a fleet of eighteen ships of the line and frigates and bomb vessels, amounting in all to fifty-two sail, a Minister Plenipotentiary had been dispatched into the Baltic in March, with an ultimatum for the consideration of the Court of Denmark. This was, that Denmark should at once recede from the Northern alliance; that a free passage through the Sound should be granted to the English fleet; and that the Danish ships should no longer sail with convoy. These terms being rejected, our fleet forced the passage of the

Sound, and Lord Nelson, on the 2d of April, made his memorable attack on the Danish fleet, and the city of Copenhagen. The complete success of this attack, succeeded by the accession of the late Emperor Alexander to the throne of Russia, dissolved the Northern confederacy.

The new Administration directed its first attention to securing the public tranquillity.

The act for the suppression of rebellion, and another for the suspension of the Habeas Corpus act in Ireland, were, after considerable debate, carried in both Houses; and a select Committee of the House of Commons having brought in a report concerning the existence and proceedings of societies of disaffected persons in Great Britain, a continuation of the suspension of the Habeas Corpus in this country, and a revival of the act for preventing seditious meetings, were moved and carried. Bills were likewise passed for indemnifying all persons concerned in the securing, imprisoning, and detaining individuals under the suspension of the Habeas Corpus act in Ireland since March, 1799, and in Great Britain since February, 1793. This Session also, a Bill was introduced and carried by the new Chancellor of the Exchequer, "To remove doubts respecting the eligibility of persons in holy orders to sit in the House of Commons:" they were finally declared ineligible.

Lord Hawkesbury, on the 28th of May, in pursuance of a message from the King, moved that "the sum of 300,000*l.* should be granted to Portugal by way of subsidy." He observed, that "this was not a subsidy intended to encourage offensive, but merely to enable an old and faithful ally to maintain defensive, operations, till a peace could be made on terms consistent with her honour; his Majesty having thought it right to absolve the Court of Lisbon from all engagements not to enter into a separate treaty."

When this was objected to on the ground of its being an aid utterly inadequate to the occasion, at a moment when the hostile armies of France and Spain were upon the borders of her territories; and that it could be only a sort of bribe advanced to Portugal, to induce her, against her judgment, to continue her present contest: Mr. Pitt made one of those lofty remarks in defence of the measure which characterize his speeches, while he almost identifies himself with the new Ministry. "We do not," he said, "desire Portugal to brave danger; but we say, if for their own sake they think it more wise, more manly, more dignified, and more safe, to meet the danger, rather than to agree to unknown concession, indignity, and insult, then Great Britain will be true to her engagements: and though we absolve them from their promise to us, we will not

make this absolution a mask for our avarice or our pusillanimity, as long as they have spirit and courage enough not to compromise with an oppressive and perfidious enemy." The motion was carried without a division.

We afterwards find Lord Hawkesbury replying to the fifth motion of Mr. F. Jones, on the subject of the convention of El Arish. The reasoning and anticipations of this gentleman appeared afterwards in singular contrast with the events that were at the moment occurring in Egypt. He called upon the House of Commons to enquire "by whose advice, instructions, dated 15th of December, 1799, had been given to the Commander-in-chief of his Majesty's fleet in the Mediterranean, enjoining him not to consent, on any account, to the returning of the French army from Egypt to France, or to their capitulation in any other manner, than jointly to allied powers employed against them; or upon any other terms, than that of giving up their arms, and surrendering as prisoners of war, to the allied powers so employed; and on no account to consent to the return of the French army in Egypt to France, or to their capitulations:" insisting that "by such instructions the grand object of peace had been *postponed*, and the seat of the present calamitous, unfortunate, and expensive war had been transferred to the very distant coasts of Egypt

—when the hostile preparations in the ports of France threatened an invasion of these realms; and when our good and old ally Portugal was about to sink under the dominion of the French Republic, in consequence of that army, which might have defended Portugal, being detached to Egypt," &c.

Lord Hawkesbury said "the arguments of the honourable gentleman had been so often answered, that he would not now enter into any reasoning on the subject. It would be only to repeat for the thousandth time, arguments in defence of the general policy of the predecessors of Ministers, and thereby delay the House from the consideration of important affairs."

The great business of the summer and autumn, however, was the adjustment of preliminaries of peace with France. This had been attempted the previous year through the present channel, M. Otto, the French Commissary in this country for the exchange of prisoners. Lord Hawkesbury, as Foreign Secretary, was entrusted with the interests of Great Britain.

His Lordship on the 21st of March, addressed a letter to M. Otto, stating that he had received the commands of the King to communicate to the French Government the dispositions of his Majesty immediately to enter on negotiation for the restoration of peace; and to declare that his Ma-

jesty is ready to send to Paris, or to any other suitable place, a Minister fully authorised to give necessary explanation, as well as to negotiate and conclude, in the name of his Majesty, a treaty between this country and France. In reply to this frank communication, the French Minister was directed to express the satisfaction of the French Consul, that Great Britain "was *at last* disposed to put an end to the misery which, for eight years, had desolated Europe"—and he proposed that the negotiation should be preceded by an immediate suspension of hostilities, by sea and land.

This was a measure (especially in the existing situation of the Mediterranean and Egypt) to which the British Government could not accede. Lord Hawkesbury represented the difficulties connected with it as "insurmountable; or at all events calculated to occasion considerable delays:" but engaged that "an immediate, full, and confidential communication" should be made to M. Otto on the general basis of a peace.

Personal conferences between the Ministers now therefore took place. His Majesty offered to restore all the conquests made by England, excepting Trinidad, Martinico, Malta, Ceylon, Tobago, Demerara, Essequibo, and Berbice, on condition that the French shall evacuate Egypt; that the Cape of Good Hope be declared a free

port; and that the House of Orange shall receive an entire indemnity for the loss which it has suffered in its property. But Lord Hawkesbury observed that, "if authentic information should be received, previous to the signature of the preliminaries, of the evacuation of Egypt by the French troops, or of a convention concluded to that effect, his Majesty would not hold himself bound to subscribe to the above conditions in all their extent."

This was clearly a more dignified position than the French Government expected England to take: if the war was without any future objects of importance to Great Britain, she feared no sudden reverses, or she would have agreed to the proposed armistice; she was seriously disposed for peace, but she rather expected to benefit than to receive disadvantage, by a protracted discussion. An answer was forwarded from France, stating that she could "not leave in the hands of England countries and establishments of such considerable weight:" and the negotiations became suspended.

May 29th, M. Otto complains to Lord Hawkesbury, "that two months had passed away without being able to fix the basis of a pacification so important to the two nations and all Europe."

Lord Hawkesbury, in reply, could only refer to former proposals, and state, "that if the French

Government has any propositions to make, different from those that have been mentioned, and which in its judgment may conduce to peace, his Majesty is ready to give them the fullest consideration."

Buonaparte now, therefore, inquired whether if the French Government should accede to the arrangements proposed for the East Indies by England, and should adopt the *status ante bellum* for Portugal, his Britannic Majesty would consent that the *status ante bellum* should be re-established in the Mediterranean and America? and urged the question in a second note.

To this the British Minister replied, "that in order to restore the *status ante bellum* in the Mediterranean, it would be necessary not only that the integrity of the Ottoman Empire should be secured, but also that the French Government should evacuate the country of Nice and all the States of the King of Sardinia, that the Grand-duke of Tuscany should be re-established, and that the rest of Italy should recover its independence. If that cannot be, and that France is to preserve a part of the influence which she has lately acquired in Italy, his Majesty is legitimately authorized to keep the Island of Malta to protect the commerce of his subjects, and to watch, at least, over the interests of Great Britain in that part of the world.

"The proposition," his Lordship added, "mentioned in the second note, on the *status ante bellum* in America, as a compensation of the *status ante bellum* as relative to Portugal, appears to be unjust. The undersigned, in his note of the 14th of April, has already regulated the concessions that his Majesty intended to make to France and her allies, with a view to assure the *status ante bellum* to Portugal and the Ottoman Porte on the re-establishment of peace; but although his Majesty is disposed to make every reasonable concession for the advantage of the allies, it cannot be expected that he will consent for their sake, to make sacrifices which will be incompatible with the security of his kingdoms. Independent of all considerations of this nature, the proposition is in itself liable to objections, since the *status ante bellum* for Portugal cannot in any way be equivalent to the *status ante bellum* for America. His Majesty has made very important conquests in that part of the world, not only from France, but Spain and Holland. It cannot, however, be expected that his Majesty will restore all the conquests that his arms have made from several powers in America, as a compensation for the *status ante bellum* in Portugal alone. Besides, it must be observed, that the *status ante bellum* in America could not be produced by the restitution of the conquests which his Majesty has made

there, without calling for a compensation to Great Britain for the acquisition that France has made of the Spanish part of St. Domingo." He stated in conclusion, that "he nevertheless had been directed by his Majesty to give an additional proof of the care he takes of the interests of his allies, and of his desire to bring the negotiation to a happy conclusion. For this purpose, the undersigned is authorized to promise that when the French Government shall have acceded to the propositions already made by his Majesty, respecting the East Indies and the Mediterranean, and if it consent also that his Majesty shall keep in America, Martinico, Tobago, Demerara, Essequibo, and Berbice, his Majesty will grant the *status ante bellum* for Spain, in consideration of the *status ante bellum* for Portugal, and conclude peace on those conditions."

This note again threw considerable coldness and delay into the proceedings: however, at last, the French negotiator proposed explicitly, that "Great Britain should keep Ceylon; that Egypt should be restored to the Porte; that Minorca should be given back to Spain; that Malta should be restored to the Order of St. John; and that the Cape of Good Hope, and the other conquests of England, should be restored to the allies;" but stating that in Martinico, France could not renounce her own rights. Trinidad was afterwards

conceded to the British Ministers in exchange for Martinico.

The two Ministers Plenipotentiary finally met on the 7th of September, and arranged the substance of the preliminary articles, which were signed at the office of Lord Hawkesbury on the evening of the 1st of October.*

It is necessary to notice, that during these discussions, France prevailed on the Court of Madrid to direct a Spanish army to march into Portugal; and shortly after, entered that country herself with a powerful force: that the British navy sustained its prowess on the ocean in two actions, fought between Sir James Saumarez and a squadron of French and Spanish ships-of-war off the coast of Spain, as well as in the attacks of

* Some of the political writers of the day censured Lord Hawkesbury for a departure from the established rules of diplomatic etiquette, in having condescended to reduce himself to a level, on this occasion, with 'a citizen of France.' But the objection was very frivolous: France at this time possessing *no* titled citizens. There seems to have been some tenacious feeling of this kind in the preceding Administration, which Mr. Sheridan stigmatized as "a stiff-necked policy," showing "insincerity." "I see," said he, "Mr. Nepean and Mr. Hammond appointed to confer with M. Otto, because they are of the same rank. Is not this as absurd as if Lord Whitworth were to be sent to Petersburg and told that he was not to treat but with some gentlemen of six feet high, and as handsome as himself!"

Lord Nelson on the Boulogne flotilla; and that the French Government received dispatches from General Menou, announcing his treaty with General Hutchinson for the evacuation of Egypt. The last important circumstance was not known to our own Government until the 3d of October.

As the preliminaries were afterwards the basis of the definitive Treaty of Amiens, and were fully debated, as we shall notice, in Parliament, we need only add, in addition to what has been stated, that as well as restoring Egypt to the Porte, they stipulated for the territories and possessions of that power to be preserved entire, such as they existed previously to the war; and that the territories and possessions of our ally, the Queen of Portugal, were also to be preserved entire; as also those of the King of Naples. The ratification of the preliminaries was exchanged in London between Lord Hawkesbury and M. Otto on the afternoon of the 12th of October.

Parliament met on the 29th of October. The speech from the Throne announced the Convention, whereby the dispute with the Northern Powers had been adjusted, and the signature of the preliminary treaty with France. It expressed also his Majesty's satisfaction at the naval and military successes of the year, and particularly with the result of the expedition to Egypt. The addresses passed without a division. But in the

House of Commons both treaties were ably debated.

Lord Leveson Gower having observed that in the *projet* offered at Lisle, we had made no such concessions to France as on the present occasion:—

Lord Hawkesbury, in defence of the preliminaries, said, that "he thought it was unfair to dwell upon any comparison between them; the *projet* at Lisle was but a *projet*, and no person could venture to deny that Lord Grenville would have been glad to have taken less from the Government of France than he then demanded. After nine years effusion of blood; after an increase of debt to the amount of nearly two hundred millions; after the uninterrupted exertions of the country, and, at the same time, the most splendid and signal successes, there was no man who could deny but that peace was a most desirable object. Notwithstanding the zeal, however, with which he had laboured for the public tranquillity, he solemnly disclaimed the plea of *overruling necessity*, which some persons had set up. Although he felt the present peace to be eligible and adequate to the relative situation of the two countries, yet he would not pretend to say that it was free from all objections, and secure from all risk and danger. He would not attempt to pledge himself for the stability of the present

peace; he should confine himself to that question which was peculiarly before the House, whether his Majesty's Ministers in signing this peace have been to blame or not? In considering this question, it would be necessary to observe the different grounds upon which the peace has been objected to. Some persons object, because they say the object of the war had not been obtained: they state that the object of the war was to destroy republicanism, and by an interference in the internal affairs of France, to stop the progress of its Revolution. This was an opinion which he must utterly deny to have been well founded; and on the contrary, he must declare that this country had been forced into the war by France. It was France who had interfered in the internal affairs of other countries; who both openly and by her agents propagated disaffection, sedition, anarchy, and revolt in this country. The Revolution was a torrent so dreadful, that no man or set of men could hope to check its rage and impetuosity: but if this country had opposed its fury with some success; if it had changed its direction into a channel less dangerous to the general welfare, some acknowledgment was due to the wisdom and zeal of Government, as well as to the spirit and exertions of the country. It was impossible to look at the present state of France, without being convinced that we had effected that most important change; a change which is manifest to

the most superficial observer in the manners, habits, and opinions of the people of France. After considering well the effects of this change, and the existing circumstances, he contended that there had not been a time, when fewer evils could be expected from peace than at present. With regard to a continuance of hostilities, there were two questions to be considered:—first, whether we possessed the power of forming another coalition against France? secondly, what injury could England and France do to each other? As to the first question, it must be recollected that the first coalition had failed, and that the second had also failed. Was it then very desirous to hazard the experiment of a third? But if we should have desired it ever so strongly, the elements of a new coalition were not to be found. We should look for them in vain in Germany, Prussia, or Russia. A coalition being therefore impossible, it only remained to consider what harm could England or France do to each other by continuing the war? The fact was, that with our immense naval superiority, we could not strike any effectual blow against France, and neither power could materially affect the other. That was the time, then, which was chosen by both for signing a treaty of peace, in the consideration of which it would be necessary to observe upon the time, the tone, and the terms of it. The time was in the hour of victory to this

country, when its triumphs by land and sea were recent, and the voice of peace could be listened to with honour, both by the Government and the people. The tone was that of dignity and independence, far removed from any humiliating idea, either with respect to ourselves or our allies; and in speaking of the terms, he must disclaim the support, and condemn the opinions of those who were fond of underrating the resources of this country, and extolling the power of the enemy. The situation of the two countries was materially different; but that difference was one of the strongest reasons for the peace. The first feature of this peace, was a strict good faith and magnanimity towards those powers who had been our allies. We had stipulated that the Ottoman Porte should be restored to all the possessions which it held before the war. To Portugal we had given every protection suitable to our strength and her interests; and as for Naples we had behaved with uncommon magnanimity. Naples had been called upon by France to exclude our shipping from her ports; she went farther, and joined in an alliance which would have warranted on our part a declaration of war: yet what was our conduct on the occasion? We interfered in her favour, and obtained for her the restoration of her territories, and the establishment of her independence. For the Ottoman Porte we had not only recovered

all her territories, but even procured a cession on the part of France of the sovereignty of the ex-Venetian islands, which in the hands of France might be extremely dangerous to the Turkish empire. For the Stadtholder and the King of Sardinia, although not bound to them by any obligation of strict faith, yet we had done as much as was possible. We had interfered as far as our interference could have weight.

"Having said so much with respect to the good faith of this country, he should next examine the question of the acquisitions made by the two countries. On this subject he should first observe, that it was the opinion of many men of the soundest judgment, that an increase of power is by no means a necessary consequence of increased acquisitions. This principle applied equally strong to the continental acquisitions of France and our colonial acquisitions. In the West Indies he could not perceive any cession could be the subject of regret, nor any possession given up to the East Indies which could be the subject of jealousy. The possessions there ceded were not calculated for aggression; if they were strong enough to attack us in the East, the Island of Mauritius would be the most formidable point to commence the attack from. As for Minorca, the experience of all former wars shows, that we can make ourselves masters of it when we please, but that we

have always thought proper to restore it at the peace, and save ourselves the expense of garrisoning it. Malta is, certainly, from its situation and impregnable state, of considerable political importance and value; but it neither is itself a source of trade, nor can its value be at all ascertained from any security it may be supposed to give to our Levant trade. Our Levant trade is in fact next to nothing. The amount of British exports to the Levant do not exceed 112,000*l.* per annum, which is a mere nothing to the general commerce of Great Britain. That trade has long been, and is likely to continue, principally in the hands of the Southern nations of Europe, whose commodities are more suitable to that market. The Dutch, however, had, by the effect of very wise regulations, enjoyed a very extensive trade on the Levant, without having any settlement in the Mediterranean, and it was the intention of the Government of this country to adopt similar regulations. As to the acquisitions we have made, he thought he might, without overrating, state, that Ceylon and Trinidad were the two great naval stations of those parts of the world to which they belong. Ceylon is peculiarly important: its ports are so capacious and secure, that the whole commerce and navy of Great Britain could lie there in safety; its native productions are of great value, and its situation would

afford (if necessary) a retreat from our Indian army, which the united force of the world would not be able to drive them from. Trinidad is also of great importance as a naval station, and one of the most productive and healthy islands in the West Indies.

" Such having been the results of the war, and such acquisitions being secured to us by this treaty, he thought that the peace must be allowed to be honourable, although it might not be what some people would call *glorious*. It certainly was as favourable for this country as any of the five last treaties of peace, namely, the treaties of Ryswick, of Utrecht, Aix-la-Chapelle, Paris, and Versailles. Of those five treaties, it was only by that of Utrecht and the peace of 1763 that we acquired any thing. By the peace of 1783 we lost considerably; not only our American colonies, but other valuable possessions; and as to the only two treaties by which we had before gained any thing, it must be recollected, that in the wars which preceded them, France had been unsuccessful on the Continent. He could not conceive the consistency of these persons who could sign the *projet* at Lisle, and not sign the present treaty. The question was not now about a peace, in which the Continental Powers were to take a leading part, but a separate peace between Great Britain and France. In the *projet* at Lisle, all

that was asked in the first instance was Ceylon, Trinidad and the Cape; and although we had since made other conquests, yet we had lost some, particularly the important possession of St. Domingo. In appreciating the real strength of France, we must balance against her territorial acquisitions, the diminution of her commerce, the ruin of her manufactures, and her loss of wealth; and in appreciating our situation, we should find, by the great increase of British exports, that our substantial power has increased in a proportion equal to the territorial increase of France. The navy of Great Britain had, during this war, obtained as decided a superiority as her commerce. In the beginning of the war we had one hundred and thirty-five ships of the line, and one hundred and thirty-three frigates; on the 1st of October, 1801, we had two hundred and two sail of the line, and two hundred and seventy-seven frigates; while the French, who at the commencement of the war had eighty sail of the line, and sixty-six frigates, had, at the conclusion, but thirty-nine sail and thirty-five frigates. It would not be in the power of France, with every exertion she could make, in a ten years' peace, to build a navy equal to that of Great Britain, and he felt convinced, that if even the war were renewed in seven, eight, or ten years, this country would begin it to much greater advantage than she had com-

menced the last. This country had been engaged in a long and dreadful contest, but she had come out of it with honour and advantage; and although her situation, as well as that of Europe, might appear critical, yet he hoped, in a sound system of policy, combining firmness with moderation, there would be found a counterpoise to every danger, and a remedy to every evil."

Mr. Pitt and Mr. Fox, though they had so long differed, as Mr. Windham observed, on the subject of the war, agreed in approving the peace.

Mr. Pitt confessed that "he gave up his hopes of restoring the ancient Monarchy of France, with the greatest reluctance; and he should to his dying day lament that there were not, on the part of the other powers of Europe, efforts corresponding to our own, for the accomplishment of that great work: there were periods, during the continuance of the war, in which he had hopes of our being able to put together the scattered fragments of that great and venerable edifice; to restore the exiled nobility of France; to re-establish a government, certainly not free from defects, but built upon sober and regular foundations, in the stead of that mad system of innovation which threatened, and had nearly accomplished, the destruction of Europe.

"This, it was true, had been found unattainable; but we had the satisfaction of knowing, that

we had survived the violence of the revolutionary fever, and we had seen the extent of its principles abated,—we had seen Jacobinism deprived of all its fascination; we had seen it stripped of the name and pretext of liberty; it had shown itself to be capable only of destroying, not of building, and that it must necessarily end in a military despotism. Mr. Pitt trusted, that this important lesson would not be thrown away upon the world. Disappointed in our hopes of being able to drive France within her ancient limits, and even to raise barriers against her farther incursions, it became necessary, with the change of circumstances, to change our objects; for he did not know a more fatal error, than to look only at one object, and obstinately to pursue it, when the hope of accomplishing it no longer remained. If it became impossible for us to obtain the full object of our wishes, wisdom and policy both required that we should endeavour to obtain that which was next best. In saying this, he was not sensible of inconsistency, in his former language or conduct, in refusing to treat with the person who now held the destinies of France; because when he formerly declined treating with him, he expressly said, that, if events should take the turn, which they had since taken, he should have no objection to treat with him."

Mr. Fox, and his party, approved the peace on

different grounds. It could not be said to be glorious to this country, for it had not, he contended, followed a war to which that term could be at all applied. He agreed with Lord Hawkesbury in considering Trinidad and Ceylon important acquisitions; and approved generally of the terms and tone of the treaty; but as to the time of it, he insisted that both before the war began, and at almost any period since, better terms than the present were in our power. "Some regretted," he said, "that the peace was glorious to France; for his part, if the peace could be glorious to France, without being dishonourable to this country, he should not feel concern at it. As far as the object of the war was a restoration of the House of Bourbon, it was to him a recommendation of the peace that that object should have failed."

Mr. Windham, however, strongly condemned the peace, and represented it as an armed truce, entered upon without necessity, negotiated without wisdom, and concluded without honour. He considered it as productive of no one advantage to the country, but as pregnant with ruin. He drew a striking picture of the actual state of France, and ridiculed the idea, that Buonaparte, having established an absolute monarchy in his own person, would become the most determined enemy of that Jacobinism, to which he was in-

debted for the dignity which he enjoyed. This able statesman admitted, that Buonaparte, like other demagogues, and friends of the people, having deluded and gulled them sufficiently to make them answer his purpose, would be ready enough to teach them a different lesson, and to forbid the use of that language towards himself, which he had before taught them as perfectly proper towards others. Never was there any one, to be sure, who used less management in that respect, or who left all the admirers of the French Revolution, within and without, all who admired it as a system of liberty, in a more whimsical and laughable situation. Every opinion for which they had been contending was now completely trodden down, and trampled upon, or held out in France to the greatest possible contempt and derision. "The Members of Opposition," Mr. Windham remarked, "had really great reason to complain of having been so completely left in the lurch. There was not even a decent retreat provided for them. But though such was the treatment which the principles of 'The Rights of Man,' and of the 'Holy Duty of Insurrection,' met with in France, and on the part of him who should have been their natural protector, it was by no means the same with respect to the encouragement which he might choose to afford them in other countries. Though

they used none of these goods in France for home consumption, they had always a large assortment by them ready for foreign markets. Their Jacobin orators were not to be looked for in the clubs at Paris, but in the clubs of London. There they might talk of cashiering Kings, and use other language of similar import; but should any orator, more flippant than the rest, choose to hold forth in that strain, in the city where the Great Consul resided, in the metropolis of liberty, he would soon put him to silence in the way adopted in the reign of the Good Woman. Buonaparte being invested, in virtue of the 'Rights of Man,' with despotic power, could afford to sanction the promulgation of those doctrines in other countries, of which he would not suffer the least whisper in his own. While he was at the head of an absolute monarchy in France, he might be the promoter and champion of Jacobin insurrection any where else. The object, as well as wicked nature, of Jacobinism in England, which, while it would rebel against the lawful authority of its own government, was willing to enslave itself to France, found no difficulty in allowing to him these two opposite characters; and Mr. Windham knew no reason why the House should suppose him disinclined to accept them."

Lord Grenville and his friends united on this occasion with Mr. Windham in condemning the peace.

On the 13th of November, Lord Hawkesbury moved the order of the day for taking into consideration the Convention signed at St. Petersburgh with Russia on the 17th of June.

Mr. Grey objected that the address upon the treaty was premature, as the accession of Denmark and Sweden to it had not been received.

Lord Temple disapproved of the treaty altogether, and considered that all the grounds on which the House had pledged itself to his Majesty in the last Session, had been wholly or partially given up.

Lord Hawkesbury in defence of the treaty stated, that "he should not trouble the House at much length, but he found it necessary to mention the grounds upon which he differed from the honourable gentleman (Mr. Grey), and the noble Lord (Lord Temple). The honourable gentleman had conceived it irregular to move for such an address, until the official accession of Sweden and Denmark had been received; but although the House had been assured by his Majesty of the acquiescence of those powers, yet it must be recollected they were only now considering the Convention with Russia as a separate treaty. He could not allow that this Convention was a compromise, as the honourable member had called it, nor that we had given up all the objects for which we contended, as the noble Lord supposed. We

had maintained, in full force, all our maritime rights, as far as it ought to have been our desire. Some asked, 'What did the treaty give us which we had not before?' He answered, That it was not to obtain any new advantages, but to support and preserve our incontestable and ancient rights that the dispute arose. The real state of the question he conceived to be this: the Powers of the North had confederated to dictate a new code of maritime law to Europe. We went to war to dissolve this confederacy, and to defeat its purposes. Were not those objects obtained? Had not the coalition been dissolved, and had not we maintained our ancient rights? Those were the only questions which he thought the attention of the House should be then directed to. In ascertaining properly the value of these rights, it might be necessary to recollect that it was to her maritime greatness this country was indebted for the successful issue of the last war, and it was to the same cause that Europe was indebted for whatever it still retained of independence. This maritime greatness was itself in a great measure the effect of that wise policy which dictated our navigation laws, and which always protected our maritime rights.

The principle upon which Great Britain had always gone, was to extend her navigation as much as possible, and confine her commerce to

her own shipping. In France the system was different; their navigation being far inferior to their commerce, they were content to allow their commerce to be transacted by neutrals, that in time of war all their sailors might be employed in their navy. The principle therefore for which we had contended, was of the utmost importance to us, for our individual interests. At the same time it must be allowed, that we should make the exercise of our rights as little vexatious as possible. This was the object of the parties to the treaty which had been signed. He denied that this treaty was at all to be considered as a new code of maritime law. It was merely a settlement of disputes between this country and three of the Northern Powers. He divided into the following heads the points in dispute: 1st, the right of seizing enemy's property in neutral ships; 2nd, the affair of contraband; 3rd, the right of searching vessels under convoy; 4th, the right of blockade; 5th, the colonial and coasting trade. Of these he considered, that we had gained all that was essential. As to the first point, the Northern Powers expressly abandoned the principle that 'free bottoms make free goods.' As to the 2nd, no new general regulation was made on the subject, and the concession to Russia alone to be allowed to carry naval stores, was an object of trifling importance indeed. 'The right of

search, without which the other rights were nugatory, was also maintained, though under some restrictions; and he would freely confess that this concession had been voluntarily offered by the British Government, on condition that the Northern Powers would recede from other claims which were altogether inadmissible. In the exercise of this right of search, neither the law of nations, nor our most ancient treaties with Sweden and Denmark, ever warranted it, except under strong grounds of suspicion, and the captain always exercised it at his own risk. As to the point respecting blockade, he maintained that the present definition of it went as far as any approved writer on the Law of Nations had ever extended it. The opinions which had been opposed to each other on this point, were both in the extreme: this treaty, he conceived, held a due medium between them. As to the last head, that of the colonial and coasting trade: this subject he conceived had always been regulated by particular treaties, and not by the law of nations. Although he trusted that the House would generally give credit to his Majesty's Ministers for doing all in their power to promote the interests of the country; yet in the present case, he would say, if more was not gained, it was because more was not asked or wished for. When the Northern Powers threatened to support their claims by

force, this country, with proper magnanimity, resisted them; but as soon as there appeared on their side a wish for settling the dispute amicably, the Government of this country had displayed equal moderation in requiring nothing but what was reasonable and necessary for the essential interests of the country. As to the wording of this treaty, there might, as in every other, be some little ambiguity; but what treaty was ever made which could not be found fault with by the discontented and the querulous?" His Lordship concluded by a panegyric on the conduct of this country, in the dispute and its termination.

Administration though not sanguine as to the result of their efforts, acted with sincerity and earnestness in pressing forward the work of peace. Early in November, the Marquis Cornwallis proceeded to France, for the purpose of negotiating the definitive treaty. He was received with the utmost respect, and after a short stay at Paris, repaired to Amiens, the place appointed for holding the conference. During the protracted negotiations, the bad faith of the French Government decidedly appeared: it was assiduously pursuing projects of aggrandizement.

The least objectionable of these, perhaps, was the attempt at recovering the colonies of St. Domingo and Guadaloupe, from the armed black population. For this purpose a powerful arma-

ment, of twenty-three ships of the line, and twenty-five thousand land forces, sailed from Brest on the 14th of December, the English Government having been first assured that it had no other object than that just stated. This subject was mentioned in Parliament, on the 19th of January, 1802, when the Chancellor of the Exchequer and Lord Hawkesbury stated the communication they had received: and that Ministers had not neglected to take every precautionary measure to guard against any prejudicial effects that might be apprehended. For the fact of both these assertions, they claimed the confidence of the House, as at present it was too delicate a matter upon which to enter into a full explanation.

When in the beginning of March, Mr. Windham pressed on the House, "the fraud and perfidy of France in every transaction of that power since the signing the preliminary articles," the language of the Ministers confirms the opinion we have expressed of their faint hopes of a permanent peace. They asserted that no blame belonged to the Administration on the subject of procrastination; that other treaties had been longer under consideration; that rational hopes might be entertained of the amicable termination of the negotiation at Amiens; but that should it be otherwise, the disappointment should be met with manliness and firmness: Lord Hawkesbury in

particular observed, that "whatever the result of the preliminaries might be, he should never regret the share he had in that transaction; for that the experiment of peace was at least as wise as the experiment of war."

A good understanding with America was established in the interim. Anticipating in part the recent alterations in our commercial code, a treaty was at this time entered into for taking off certain duties on goods imported from that country, which it was thought would facilitate the exportation thither of our manufactures. On this ground, Mr. Vansittart advocated the treaty, in the House of Commons, March 5, 1802, when Lord Hawkesbury observed, that "the measure would also render our commercial communication with that country more simple; and had this additional advantage, that it would enable us to re-export what we had imported from America on better terms."

At length, on the 28th of March, the definitive treaty of peace between the French Republic, the King of Spain, and the Batavian Republic, on the one part, and the King of Great Britain and Ireland on the other, was signed at Amiens. Its principal stipulations were, that England should restore to the three powers all its conquests during the war, with the exception of the islands of Trinidad and Ceylon, which were respectively ceded to it by Spain and Holland. 'All the terri-

tories of the Queen of Portugal were secured to her as before the war, except that a new limit was drawn between French and Portuguese Guiana. The territories of the Sublime Porte were maintained in their integrity. The Republic of the Seven Islands was recognized. Malta and the islands dependant on it were restored to the Knights of the Order of St. John of Jerusalem, under the following conditions:—The Knights to be invited to return to Malta and there elect a Grand-master; no individual belonging either to England or France to be admitted into the Order; a Maltese *langue* to be established, for admission into which proofs of nobility were not be requisite; half of the civil and judicial employments depending on the Government, to be filled by inhabitants of the islands; the British troops to evacuate Malta within three months, or sooner, from the exchange of the ratifications, when it was to be given up to the order, provided the two thousand Sicilian troops had arrived to garrison it which the King of Naples was invited to send, and which troops were to continue for a year or longer, if the Maltese were not competent at that period to garrison it themselves: the independence and neutrality of Malta to be proclaimed, and the former to be guaranteed by Great Britain, France, Austria, Spain, Russia, and Prussia, the four last powers being invited to accede to the stipulations;

the ports to be open to the ships of all nations, excepting those of the Barbary powers. The French agreed to evacuate Naples and the Roman States; and the British, Porto Ferrajo, and all the ports and islands possessed by them in the Mediterranean and Adriatic Seas. The fisheries of Newfoundland were placed on the same footing as previous to the war. The House of Nassau to be indemnified for the loss of its property in the United Provinces, by an equivalent. Such were the leading features of the treaty of Amiens.

CHAPTER IV.

Claim made on behalf of the Prince of Wales for arrears of the Duchy of Cornwall.—Debate on the Treaty of Amiens.—Dissolution of Parliament.—Aggrandizing measures of France.—Buonaparte complains of the British press.—Lord Hawkesbury's reply to this and other complaints of the French Government.—Prosecution of M. Peltier.—French attack on Switzerland.—Buonaparte's attempt to establish Agents in the British Ports, and to procure plans of them.—Malta not surrendered by Great Britain.—Meeting of Parliament.—Debate on the Address.—On the increase of the Army and Navy.—Gloomy opening of 1803.—Evident approach of a rupture with France.—Buonaparte's conduct to our Ambassador, who returns to London.—British declaration.—Colonel Patten's motion against Ministers.—Lord Hawkesbury called up to the House of Peers.—Mr. Pitt moves the previous question.—Mr. Pitt and Mr. Fox both in opposition to Ministers.—Mr. Addington resigns.

BEFORE we enter upon the debate that ensued in both Houses, on the subject of the Treaty of Amiens, we may notice a singular claim that was made at this time on behalf of the Prince of Wales, for arrears due from the revenues of the Duchy of Cornwall. It was moved by Mr. Manners Sutton, and contended for in the House of Commons by Mr. Fox, Mr. Erskine, and Mr.

Sheridan, that the Prince had a just title to all the revenues of the Duchy, from the period of his birth; and that the Crown having received them until he came of age, and expended them in the public service, his Royal Highness had been in fact the creditor of the public in their entire amount during that period. On the one hand there appeared a plausibility in the statement of his Royal Highness's rights; for if these entitled him to receive the revenues on coming of age, they would seem to have been inherent in him before; and Mr. Fox went so far as to contend, that independently of the Duchy of Cornwall, the Prince of Wales had a right to be maintained and educated by his father as heir apparent to the Crown: on the other hand, it is singular, that in all the previous important, applications to Parliament in the Prince's favour, this claim was never exhibited by his friends. Though evidently inclined, therefore, to listen to it, the claim was regarded by the public as a species of discovery in such an affair, upon which, under all the circumstances, his Majesty's Government could not properly be called to act.

The Attorney-General and Lord Hawkesbury contended, that in point of fact, the question was merely between the Prince and his Majesty. It was his Majesty who had received the revenues of the Duchy of Cornwall, and had disposed of

them as he had judged proper; if, then, there remained a question at all, it was a question for judicial decision, and not for legislative interference. "There was no doubt," it was added by Lord Hawkesbury, "but that when the revenues of the Duchy were first granted by Edward III. to his son the Black Prince, they were granted for his maintenance and support, and not for the purpose of being accumulated till he should come of age." Sir Edward Law insisted, after the Chancellor of the Exchequer, that the sums advanced by the public to the Prince, during his minority, had far exceeded the entire revenues of the Duchy.

In the memorable debate on the peace, 13th of May, Ministers had mainly to answer an eloquent and able attack of Mr. Windham's in the House of Commons. In a speech which occupied upwards of two hours and a-half in the delivery, he entered very fully into the terms of the treaty, and brought forward numerous objections to it. He said, that "among the many parts of this treaty to which he must object, it was indifferent with which he began; he, therefore, should first consider Malta. He thought it was beyond all question that this arrangement did, in fact, surrender Malta to France. We had concurred in destroying the independence of it, and degraded the Order itself, by the introduction of a Maltese

langue, with whom the German knights refused to serve. It was a mere farce to talk of a Neapolitan garrison, and the protection of Naples, when the kingdom of Naples itself was under the control of France. For his part he should much rather that it was ceded to France directly, and that we had demanded some other place as an equivalent for it. The Cape of Good Hope too, being ceded in absolute sovereignty to the Dutch, they may give it up to France as soon as ever they please. He considered this place as of the utmost consequence, not only to our Indian commerce, but to the security of our Indian empire, in affording the facilities of conveying troops for its protection, if in our hands, or for its annoyance, if in the hands of the enemy. He must also insist, that by the cession of Portuguese Guiana, the French would command the navigation of the river of Amazons. Louisiana was also to France an acquisition of incalculable value. France will for the future command the navigation of the two greatest rivers in the world, the Mississippi and the Amazons. Great rivers are the vital parts of countries; we might, therefore, without hyperbole, be said to have ceded to France a brace of continents. Never was there such a lavish, prodigal, thoughtless spirit of cession!

"In addition to those foreign objects, the whole continent of Europe is left at the mercy of France."

Mr. Windham then expatiated at great length on the claims which would probably be set up by France in consequence of the non-renewal of former treaties; he particularly thought that this omission in the treaty would very much endanger our Indian empire. "We might pretty well learn to appreciate the fraudulent views of France by her recent conduct with respect to the Island of Elba, which she first stipulated should be surrendered to the King of Etruria, and immediately after took possession of herself. French power pursued us in Asia, in America, and in every part of the world. He considered that the establishment of French power in St. Domingo was more formidable to our West India settlements than even the independence of the blacks in that island, who would have no means of extending their empire farther. Mr. Windham then took a general review of the war. He thought the country was never sufficiently apprised of its danger. In his opinion, the real principle of war had been mistaken in pursuing colonial acquisitions. He then proceeded to speak of the expeditions of Toulon and Quiberon, of which he highly approved, and of which a right honourable friend of his (Mr. Pitt) had the manliness to claim his share of the responsibility.

Mr. Pitt rose to order. "He thought his Right Honourable Friend out of order in mentioning

the variety of opinions which prevailed on different points in the conduct of the war. He also submitted to his judgment, whether he was entirely free from those obligations which were in force when they were together the confidential servants of his Majesty."

On Mr. Windham proceeding to take upon himself the whole responsibility of the Quiberon business, Mr. Pitt again objected, and considered that he had not a right thus to speak of official opinions.

Mr. Windham then recapitulated the opinions he had so often delivered on the principles of the war and its proper object. He lamented the triumph of Jacobinism, and feared every thing from the restless ambition and perfidy of France, armed as she now was with immense power. He concluded with moving an address similar to one moved in the House of Lords, by Lord Grenville, acknowledging that the national faith was pledged to the observance of the treaty, but regretting the sacrifices that it made to France without any compensation.

Lord Folkstone on seconding the motion, said, that "the British flag was degraded, and disgraced by this treaty as far as any treaty could do it. It was a treaty built on Jacobin principles, and confirming Jacobin power. We had abandoned Portugal to spoliation, and in our treat-

ment of the Prince of Orange we had added insult to injury. He saw nothing to be derived from it to the country but dishonour, degradation, and ruin."

Lord Hawkesbury then rose. "He expressed his satisfaction that the whole subject now came before the House at once,* and he trusted that he should be able to prove this treaty to be not only expedient, but both advantageous and honourable to the country. The circumstances which immediately preceded the negotiation, were as follows: Almost as soon as his Majesty's present Ministers had accepted their situations, arrived the news of our allies, the Austrians, being defeated in a great battle, which was very soon followed by the treaty of Lunéville. The situation of Europe was now materially changed with respect to Great Britain. Instead of being at the head of a great confederacy, a powerful confederacy was formed against her, under the direction of France. Under these circumstances, after sending a fleet to the Baltic, we opened a negotiation with France. We certainly could not then pretend to unsettle

* There had been two or three incidental discussions upon particular parts of it, as on the 3d of May, on Mr. Windham's motion for fixing a day to take into consideration the definitive treaty concluded at Amiens: on Dr. Laurence's motion on the 12th, for papers relative to the East India Company's affairs, &c.

that which had been settled at the treaty of Lunéville, and assented to by the whole Germanic empire. The treaty which had been made, secured the integrity of the British empire, obtained better conditions for our allies than could have been expected when the negotiation began, and confirmed the acquisition of two of the most important possessions in the East and West Indies. Such a treaty he could not conceive any thing less than honourable.

"The first class of objections which he should consider, were those that went against the conclusion of a definitive treaty, on account of the events which took place on the Continent after the signing of the preliminaries. He must confess, he regretted much a great many of those events, not entirely on account of their intrinsic importance, but much more so, by reason of the dispositions they indicated in the French Government; but he could not at the same time think that they would justify our breaking off the negotiation altogether. He could by no means agree with the opinion of some gentlemen, that whenever any Continental power became involved with France, it was our business, without considering how the question affected our external or internal interests, immediately to embark in a war about it. If it was not expedient for us to continue the war for Holland and the Netherlands,

much less so was it to continue it for Italy. Besides, the first intimation which his Majesty received of the new constitution of Italy, was followed by accounts of the congratulations of the Court of Berlin, and the acquiescence of Austria and Russia. As to the cession of Louisiana by Spain to France, this was certainly an event of importance; but that very colony had been before ceded by France to Spain in a private convention, which took place between the signing of the preliminaries and definitive treaty of 1763. With respect to the value of Louisiana, it must also be recollected, that formerly, when it was in the possession of France, she made nothing of it; although, at the same time, she made the West India islands highly valuable. As to the American States being brought into danger by this event, he thought much too highly of their power and resources, and that if they were jealous of the neighbourhood of the French, they would be the more inclined to the cause of this country.

"With regard to the faults of omission which were alleged against the present treaty, the principal stress appeared to be laid on the non-renewal of treaties; and yet it appeared that the events of the war had so completely unhinged the foundations of all former treaties, that it would be almost impossible, if they were renewed, to bring them at all to bear on the present political

situation of Europe. Had we sanctioned the treaty of Luneville, for example, we should then have made ourselves parties to the dismemberment of the Germanic empire. At present, we have, at least, the satisfaction of saying, that if we have not been able to recover for Europe her rights, at least we have been no parties to her wrongs. As to commercial treaties, they involve so many subjects, so many points of discussion, that they necessarily take a great deal of time to settle. The prohibition of our manufactures could not be carried on to the same extent in peace as in war; and if it came only to a war of duties between Great Britain and France, the exclusion of French wines and brandy would be a heavier loss to them than the exclusion of our manufactures would be to us. He did not conceive that our rights in India or in Honduras, were in the least affected by the non-renewal of certain articles in former treaties. But there was no point which appeared more completely to be mistaken, than that which respected our flag. The fact was, that this country had for centuries claimed a sovereignty of the seas, and from this sovereignty, that other nations should lower the flag to us. No express stipulation had ever been introduced in our treaties with France and Spain to this purpose, and yet the right had been always acknowledged. The reason that the ex-

press stipulation was only with Holland, was, because there had been once a war between this country and Holland upon that very point; and therefore the right had been at the peace, and by subsequent treaties, expressly recognized with respect to Holland, and if this had not now been again mentioned, it was because, with Holland, as well as other countries, we chose to stand upon our ancient and long exercised right. We had ceded nothing in this respect.

"The next general head of objections was the variations between this definitive treaty and the preliminaries. As to the allowances made to France on account of Russian prisoners, it was by no means unreasonable: it was in fact a new principle introduced by us at the treaty of 1763, that each state should maintain its subjects when prisoners in the enemy's country. France had never acted on this principle with Austria, or any power, when it would have evidently been her interest to have done so; and therefore, when she consented to adopt this principle with respect to us, (although the balance of prisoners was much against her,) it was by no means unreasonable for us to expect to be allowed to set off against our demand the expenses of the Russian prisoners, who were taken by them when in our pay. The balance still remained considerable in our favour.

"The next point was the situation of Portugal.

On this subject he must state, that this Government had done every thing in its power respecting Portugal. If it had divided its army between Portugal and Egypt, they would probably have failed in both places. They had been, however, extremely anxious for the security of Portugal, and had recommended in the most pressing manner to the Portuguese Government, to change their General-in-Chief, who was an old man, incapable from years of the active exertions that a campaign would require. Had this been done, we should have given Portugal every assistance in our power. The Government of Portugal, however, refused; and after that country was invaded and conquered, we paid a subsidy of 300,000*l.* to enable them to make better terms for themselves, and now at the definitive treaty, we had got better terms for Portugal than she was able to procure for herself; and some of her foreign possessions, which she had ceded, were still to remain in her possession.

"As to the question of Malta, it would be recollected that it was our original intention, in taking possession of Malta, to restore it to the Order. Afterwards we had thought of placing it under the protection of Russia; but the strange and ill-judged politics of that Court prevented this. Afterwards the politics of Russia changed, and the present Emperor refused Malta. He

could have wished that the King of Naples had been something of a more powerful protector, but he saw no reason to doubt his fidelity.

"When gentlemen expatiated on the great acquisitions which France had made this war, they never spoke of her losses, nor of what we had acquired. They dwelt on Louisiana, but did not mention Mysore or India. They did not, either, compare the relative situation of the West India colonies of the two countries. The English colonies, flourishing, improved, and increased by the addition of Trinidad, while St. Domingo, the principal French colony, was in a most precarious state. They did not compare the navy and commerce of the two countries; the French navy had in the war been reduced more than a half, and their commerce absolutely destroyed. He could not pretend to say this peace, or any other which could be made in the present times, was secure; but he could not see that any additional security would be gained by a continuance of war. France, besides, now appeared to be returning to her old maxims of religion and politics. A renewal of the war appeared only likely to plunge her back into the revolutionary system, which would afford less security. The resources and the spirit of the country should be spared as much as possible: they had in some sort been worn out by the long duration of the war, and

required to be cherished by peace." After having endeavoured to prove the interests and honour of the British empire had been preserved in the treaty, his Lordship concluded by moving an address congratulating his Majesty on the terms of it.

This speech was considered at the time by much the ablest defence of the treaty delivered in either House of Parliament.

The finance measures of the year were of course under the direction and committed to the advocacy of the Chancellor of the Exchequer: we can here only observe that so early as the 29th of March—at the moment when the signature of the definitive treaty became first known in England—Mr. Addington, to the great satisfaction of the country, gave notice of his intention to propose the repeal of the Income Tax, and it was accordingly omitted in his plan of finance for the year commencing the 5th of April.

On the 29th of June, 1802, Parliament was dissolved: and Ministers are admitted by writers opposed to their measures, to have avoided "with laudable impartiality," any undue interference in the choice of the nation. They certainly possessed at this time their greatest popularity.

While France was every month adding to her influence or actual domination over the States of the Continent, the First Consul endeavoured to divert the attention of the British Ministers from

his plans, by complaints of the British press. He sent instructions to M. Otto, and afterwards to the French Ambassador, General Andreossi, to remonstrate with the Government upon the remarks of the public writers on his character and conduct; affecting to be totally ignorant of the little redress any Ministers of this country could obtain for him in such a case.

Lord Hawkesbury is admitted by all parties to have ably vindicated the public character and liberties of his country, in the correspondence that ensued. This correspondence became voluminous: but an extract from his Lordship's reply, through Mr. Merry, to an official note of M. Otto's, dated August 28th, 1802, will show the chief topics in discussion, and Lord Hawkesbury's able manner of treating them.

FROM LORD HAWKESBURY TO MR. MERRY.

Dated August 28, 1802.

"The propositions in M. Otto's official note, are six in number; but may, in fact, be divided under two heads: the first, that which relates to the libels of all descriptions which are alleged to be published against the French Government; the last, comprehending the five complaints which relate to the emigrants resident in this country. On the first, I am sure you must be aware that his Majesty cannot, and never will, in consequence

of any representation or any menace from a foreign power, make any concession which can be in the smallest degree dangerous to the liberty of the press, as secured by the constitution of this country. This liberty is justly dear to every British subject. The constitution admits of no previous restraints upon publications of any description; but there exist judicatures, wholly independent of the Executive Government, capable of taking cognizance of such publications as the law deems to be criminal, and which are bound to inflict the punishment the delinquents may deserve; these judicatures may take cognizance, not only of libels against the Government and the magistracy of this kingdom, but, as has been repeatedly experienced, of publications defamatory of those in whose hands the administration of foreign Governments is placed. Our Government neither has, nor wants any other protection *than what the laws of the country afford;* and though they are willing and ready to give to every foreign Government all the protection against offences of this nature, which the principle of the laws and constitution will admit, they never can consent to new-model laws, or to change the constitution, to gratify the wishes of any foreign power. If the present French Government are dissatisfied with our laws on the subject of libels, or entertain the opinion that the

administration of justice in our courts is too tardy and lenient, they have it in their power to redress themselves by punishing the venders and distributors of such publications within their own territories, in any manner that they may think proper, and thereby preventing the circulation of them. If they think their present laws are not sufficient for this purpose, they may enact new ones; or, if they think it expedient, they may exercise the right which they have of prohibiting the importation of any foreign newspapers, or periodical publications, into the territories of the French Republic. His Majesty will not complain of such a measure, as it is not his intention to interfere in the manner in which the people or territories of France should be governed; but he expects, on the other hand, that the French Government will not interfere in the manner in which the Government of his dominions is conducted, or call for a change in those laws with which his people are perfectly satisfied."

With respect to the distinction which M. Otto had drawn between the publications of British subjects and those of foreigners, and the power which his Majesty was supposed to have, by virtue of the alien act, of sending the latter out of his dominions, it was remarked, that this act was intended for the preservation of the internal peace and security of the kingdom; and that its applica-

tion to the case of those individuals of whom the French Government complained was unnecessary, as they were, equally with British subjects in similar cases, amenable to the law of the land, at the instance and on the complaint of foreign Governments.

His Lordship afterwards treats in detail the topics of complaint. The first, second, and third, relate to the residence of certain persons obnoxious to the French Government in Jersey, &c. and their removal is announced or promised.

On the fourth complaint, he says—"Respecting the Princes of the House of Bourbon, I can only refer you to my former answer. His Majesty has no desire that they should continue to reside in this country, if they are disposed, or can be induced to quit it; but he feels it to be inconsistent with his honour, and his sense of justice, to withdraw from them the rights of hospitality, as long as they conduct themselves peaceably and quietly; and unless some charge can be substantiated of their attempting to disturb the peace which subsists between the two Governments.

"With regard to the fifth complaint, which relates to the French emigrants, in this country, wearing the orders of their ancient Government, there are few, if any, persons of that description in this country who wear such orders.

It might be more proper if they all abstained from it; but the French Government could not persist in expecting that, even if it were consistent with law, his Majesty could be induced to commit so harsh an act of authority as to send them out of the country on such an account. I have thus stated to you his Majesty's sentiments on the several points contained in M. Otto's note. You will take an early opportunity of communicating these sentiments to the French Government, and of accompanying them with the arguments and explanations above stated," &c.

It need only be added, that the Attorney-general was afterwards instructed by the British Ministers to file a criminal information against M. Peltier, for his virulent declamations against the First Consul, in the Ambigu, a periodical paper published in London; and that the cause was tried before Lord Ellenborough, on the 21st of February, of the ensuing year. The defendant was convicted; but the renewal of hostilities soon after, seems to have prevented him from being brought up for sentence, which he never was.

In October, Lord Hawkesbury became the equally able advocate of the liberties of Switzerland. Against every plea of moderation and justice, Buonaparte had ordered the French army, under General Ney, to march into the unresisting Cantons, to enforce the reception of a new

constitution for that country, prepared in his own Cabinet. His Lordship was in consequence directed to address a note to M. Otto, still in London, wherein his Lordship expresses the sentiments of deep regret excited in his Majesty's breast, by the proclamation of the First Consul to the Helvetic people; and declares, that his Majesty "sees the late exertions of the Swiss Cantons in no other light than as the lawful efforts of a brave and generous people to recover their ancient laws and government, and to procure the re-establishment of a system, which experience has demonstrated not only to be favourable to the maintenance of their domestic happiness, but to be perfectly consistent with the tranquillity and security of other powers." Soon after, Mr. Moore was sent on a confidential mission into Switzerland, in order to ascertain the state of affairs, and the dispositions of the inhabitants toward the new order of things; being authorised to promise them pecuniary succours, in case he should find them determined to resist the French attack.

The mercantile portion of the community looked in vain during this fitful and feverish peace for any stable commercial relations with France. Buonaparte, on the other hand, under the pretext of establishing commercial agents in the different ports of Great Britain and Ireland, endeavoured

to obtain such information respecting the sounding of the harbours, the defences, &c. of the chief ports, as would eventually be of use in case of a rupture.

An intercepted letter, dated November 17th, 1802, and addressed by M. Talleyrand to Citizen Fauvelet, commercial agent at Dublin, contained the two following instructions:—"You are required to furnish a plan of the ports of your district, with a specification of the soundings for mooring vessels. If no plan of the ports can be procured, you are to point out with what wind vessels can come in and go out, and what is the greatest draught of water with which vessels can enter there deeply laden."

There was also just ground for suspicion that the French Government had not laid aside its designs in regard to Egypt. The accidental delay of the British in evacuating Alexandria, gave umbrage to the French Consul, and the mission of General Sebastiani to that country, though ostensibly of a commercial, was soon seen to be, in reality, of a political and military nature.

Meanwhile all the British conquests had been restored, as stipulated by the treaty of Amiens, with the exception of Malta; for during the interval of peace already elapsed, circumstances had arisen which had not only retarded the resignation of that island to the Order of St. John, but

had, in fact, totally precluded the restoration of it in the spirit of the treaty.

The Emperor of Russia declined his guarantee, except on the condition that the Maltese *langue*, should be abolished; the Court of Berlin appeared quite indifferent about the matter: but above all, the Spanish priories were abolished through French influence; and the Portuguese Government had issued a declaration of its intention to sequestrate the property of the Portuguese priory, unless that of the Spanish priories should be restored. Over these circumstances Great Britain had no control. Again, the greater part of the funds assigned for the support of the Order, and indispensably necessary for its independence, had been sequestered since the conclusion of the treaty. Such was the existing state of things with regard to this island when Buonaparte first became clamorous for its evacuation.

The second Imperial Parliament was opened on the 13th of November, 1802, by a speech in which his Majesty declared his "sincere desire for the maintenance of peace. It is nevertheless impossible for me," he added, "to lose sight of that established and wise system of policy, by which the interests of other States are connected with our own; and I cannot, therefore, be indifferent to any material change in their relative condition and strength. My conduct will be in-

variably regulated by a due consideration of the actual state of Europe, and by a watchful solicitude for the permanent welfare of my people."

The debates on the address contain no remarkable speeches. Lord Hawkesbury on this occasion animadverted pretty freely on what he called a misconception of Mr. Canning, on the grounds of the peace. "The Right Honourable Gentleman, who was not present at the discussion of the preliminary and definitive treaties," he said, "had certainly misconceived the grounds on which they had been defended by Ministers. His supposition that they had relinquished the system, upon which they conclude that treaty, was entirely founded upon a misconception. The principle that was avowed and acted upon at the late treaty, was what would govern his Majesty's Ministers now and for the future. It was this, that, as far as respected merely the interests of this country, the peace was made upon honourable terms; inasmuch as the integrity of the British dominions was observed; but as to the Continent, it was allowed to be unsatisfactory, which was regretted in terms still stronger than had been used to-night. The principle of concluding this peace then was this, that it was better to take the chance of peace than the chance of war *for objects merely continental*, unless we had the support of the Continental powers. This was

the principle upon which his Majesty's Ministers had acted, on which they now act; on which they would always be ready to act in future, and to justify themselves. The Right Honourable Gentleman had misunderstood him, when he supposed that he had ever wished this country to abstract itself from the politics of the rest of Europe. It was impossible that a country connected as this was by commerce, with the interests of all other nations, should ever feel indifferent to what befel other nations; we could not separate the politics of this country from the politics of Europe. Among nations as well as individuals, those who are great and powerful, have duties and interests to attend to beyond the mere preservation of their existence. The protection of those who are weaker, is not only a duty, but it is among the most important of their interests. The extent, however, to which this principle is to be carried, depends on the existing circumstances, and must be regulated in a great measure by expediency. This had been always attended to in the consideration of the line of conduct which this country should pursue. When Poland was blotted out of the map of the world as an independent nation, it was expediency alone which prevented our interference. There was no British sovereign who ever felt a stronger desire to limit the power of France upon the Continent, than William the

Third, and yet he did not think it advisable for this country to engage in a war singly against France, merely for Continental objects. Although we should be always prepared to act according to circumstances, yet we could not pretend to control existing circumstances. He must declare it to be his most decided opinion, that if (under the present circumstances of the country and of Europe) peace could be maintained with honour to ourselves, it would be better than a renewal of the contest."

He afterwards added:—"Some honourable gentlemen, in their compliments to Mr. Pitt, seemed to consider that the present Administration wanted the firmness necessary to their situation. No man was more disposed to bestow praise on the conduct of that gentleman than himself; but events had happened in the latter part of his Administration which showed that it was not in the power of the greatest talents to command success. The right honourable gentleman had described the state of the country as most prosperous when he retired from office. He seemed to have forgotten that there was at that time a combination of almost the whole of Europe against us. He had forgotten the dismay and anxiety which pervaded the public mind before the battle of Copenhagen, and the success of the Egyptian expedition. Some gentlemen seemed to think our navy

had been dismantled, and our military force imprudently disbanded; but, in truth, there never was before a peace in which our naval establishment had been so strong, and that of France so weak. The right honourable gentleman had said that he did not so much regard the conditions of the peace as the *animus* in which they were made. As to the *animus* of France, if we were to wait till it was completely friendly to this country, we must be at war for ever. The policy of Ministers was to resist any unjust demands from any foreign power; and if a stand must be made, to make it in the first instance. It was their wish to preserve peace as long as they could consistently with the policy and the general circumstances of Europe. The altered situation of Europe must certainly be a subject of regret to every lover of this country; but it must be acknowledged, that we had it not always in our power to redress whatever we might feel to be our grievance." He concluded, "by trusting that the conduct of his Majesty's Ministers would always be found consistent with the principles they professed, and would give general satisfaction to the country."

The next important debate in the House of Commons took place on the 2d of December, when a resolution for fifty thousand seamen and twelve thousand marines was proposed in a com-

mittee of supply. On the resolution being put, Mr. Grenville strongly protested against voting such a large number of seamen without explanation. "Last year the Minister considered thirty thousand seamen sufficient for our peace establishment; now he had demanded nearly double that number. If we were likely to go to war, these were much too little; if we were to remain at peace, they were as evidently too many."

Sir Sidney Smith advocated our being always in a situation to call speedily together a strong naval force.

Lord Hawkesbury remarked, "it was not usual for Ministers to preface resolutions of this nature with many observations. They had distinctly avowed their intention to propose such an increase as that now moved for. It was uncommon for Ministers to give such an explanation; it was very uncommon to demand it from them. As to a permanent establishment, it was certainly a fit subject for parliamentary discussion; but the establishment which Ministers might think necessary for the year, depended upon their opinion of the situation of affairs; and this they were not at liberty to disclose. It was therefore absolutely necessary to place such confidence in whoever were the Ministers, as to give them credit when they declared their opinions generally that such a force is immediately necessary for the defence of

the state. He believed that, without speaking from any exclusive information, his Majesty's Ministers might say there were sufficient circumstances known by every man in the House and in the country, to induce a very general opinion that our military establishments ought to be increased. He wished, however, that the country would endeavour to continue the peace in the true spirit of peace; a spirit which was perfectly consistent with the national honour, but free from that degree of irritation, which, if pursued, could answer no one good end, but must inevitably lead to hostilities. It had been usual for that House, without much observation, to vote such peace establishment for the year as Ministers should declare to be necessary. It was not, however, merely on this ground of confidence, that Ministers relied for the support of the House; there were abundant circumstances known to the whole world, to make an increased establishment a thing of evident and absolute necessity." Lord Hawkesbury, in an animated debate on the 8th, on the military peace establishment repeated these sentiments.

Mr. Canning, and some other of Mr. Pitt's friends, expressed themselves satisfied with the explanation of Ministers.

On the subject of our memoir devolved, at this period, much of what has been technically called

the management of the House of Commons. He spoke on every topic involving the character of Administration: but, in a volume like the present, we can only advert to principal subjects.

The year 1803 opened gloomily: the country universally was in that state of suspense, as to the issue of the great question of war or peace with France, which was more uncongenial to Englishmen than any direct attack upon them. The stocks fell considerably; Ireland was in a state of discontent and disaffection; and a message from the King was every day expected announcing a rupture with our ancient enemy.

On the 3d of February, Parliament met after the usual recess. On the 7th, the Chancellor of the Exchequer moved for leave to bring in a bill for the renewal of the Bank Restriction Act. "The solvency of that establishment," he said, "was undoubted; but after no less than twenty millions of specie had been lately sent out of the country for grain, it would be hazardous to take off the restriction suddenly."

Mr. Fox and Mr. Tierney warned the House, that however necessary it might seem, the continuation of this system was a great evil; and the former observed, that the restriction should be continued only for such a time as would render inquiry into the state of exchange, the affairs of the Bank, &c. possible.

Lord Hawkesbury did not think an inquiry into the state and administration of the Bank of England at that time necessary, although, at a future time, perhaps, he should not oppose a rigid investigation of the state of banking in general throughout Great Britain.

On the 8th of March a message was brought down from his Majesty, acquainting the House of Commons, that as very considerable military preparations are carrying on in the ports of France and Holland, he had judged it expedient to adopt additional measures of precaution for the security of his dominions.

Mr. Addington moved the Address, promising to support his Majesty, which Mr. Fox would not oppose: "Only," he said, "his Majesty's Ministers would do well to consider their present awful responsibility to the country and the world. If, through their negligence, rashness, or ill-concerted plans, they involved the country in war at this important period, he should pronounce the present Administration to be the most fatal and destructive which ever directed our affairs."

Lord Hawkesbury concurred with Mr. Fox, that "the present Address did not pledge the House to any thing specific, but at the same time if the pending discussions should unfortunately terminate in war, the House would certainly have a right to the fullest information on the subject;

and he himself felt perfectly prepared to defend the conduct of Ministers, either on every separate part of those discussions, or upon the whole plan of their national administration."

His Lordship again answered Mr. Fox, on the motion of Mr. Garthshore, for ten thousand additional seamen, on the 11th of March. That distinguished statesman complained of want of information on the state of the question now at issue between this country and France. Lord Hawkesbury said, " when a negotiation is terminated, he thought it right to give ample information, but while it was pending it was better to keep silence than state matters which might produce irritating discussions, that must impede the negotiation itself. On the commencement of a war it was right to state the causes of it; but, perhaps, when things were settled amicably it was better not to stir up again those passions which had hardly subsided. Ministers considered sixty thousand seamen a force adequate to the circumstances of the times, and at the same time necessary, considering the armaments of France."

The great events now transpiring in London and Paris, must have indicated to an attentive observer, in either capital, the decided approach of war. On the 17th of February, Buonaparte had a conversation with Lord Whitworth, in which he expatiated for two hours on the alleged

grievances of France; threatened this country with invasion, although he acknowledged that the chances in the attempt would be a hundred to one against him; and said, "while he did not think Egypt worth the risk of a war, France would sooner or later obtain it," &c.

When the King's message to Parliament was known in Paris, the French Government assured our Ambassador, that the views of the First Consul were still pacific; but that he should always consider the refusal to evacuate Malta as the commencement of hostilities; and two days after occurred the outrageous insult on our Ambassador, at the Court of the Tuilleries, which will be familiar to our readers. We have heard, from sources which we deem authentic, that the First Consul so far demeaned himself on that occasion, as to lift his cane in a kind of menacing attitude over Lord Whitworth. His Lordship, on this, laid his hand on his sword, and has expressed the fixed determination he had formed, if touched with the Consul's cane, to draw upon him and abide the consequences.

As an ultimatum, Ministers stipulated for the occupation of Malta during a term of ten years, provided that his Sicilian Majesty could be induced to cede the Island of Lampedosa for a valuable consideration: but Lord Whitworth could obtain no satisfactory reply to this pro-

posal. He, in consequence, demanded his passports, and arrived in London on the 19th of May.

Malta, therefore, was the ostensible ground of the new war. In the Declaration justifying the grounds of it, which was published in London the day before Lord Whitworth's arrival, Ministers said—"The Order of St. John cannot now be considered as that body, to which, according to the stipulation of the treaty, the island was to be restored; and the funds indispensably necessary for its support, and for the maintenance of the independence of the island, have been nearly, if not wholly, sequestered. Even if this had arisen from circumstances which it was not in the power of any of the contracting parties to the treaty to control, his Majesty would nevertheless have had a right to defer the evacuation of the island by his forces, until such time as an equivalent arrangement had been concluded for the preservation of the independence of the Order and of the island. But if these changes have taken place in consequence of any acts of the other parties to the treaty; if the French Government shall appear to have proceeded upon a system of rendering the Order, whose independence they had stipulated, incapable of maintaining that independence, his Majesty's right to continue in the occupation of the island, under such circumstances, will hardly be contested. It is indisputable, that the

revenues of the two Spanish *langues* have been withdrawn from the order by his Catholic Majesty; a part of the Italian *langue* has, in fact, been abolished by France, through the unjust annexation of Piedmont and Parma, and Placentia, to the French territory. The Elector of Bavaria has been instigated, by the French Government, to sequestrate the property of the Order within his territories; and it is certain they have not only sanctioned, but encouraged the idea of the propriety of separating the Russian *langues* from the remainder of the Order. As the conduct of the Governments of France and Spain has, therefore, in some instances directly, and in others indirectly, contributed to the changes which have taken place in the Order, and thus destroyed its means of supporting its independence; it is to those Governments, and not to his Majesty, that the non-execution of the tenth article of the Treaty of Amiens must be ascribed."

At the close of April and in the beginning of May, great anxiety was expressed in Parliament and by the public, as to the state of the negotiations. Ministers generally, and for obvious reasons, declined the discussion of particular questions in either House: while they expressed their hopes and their willingness to give the fullest information on every point, at an early period.

On the 23d of May, the entire aspect of our affairs with regard to France, and the conduct of

Ministers during the negotiations, came under discussion in both Houses: the debate in the Commons is chiefly remarkable for the speeches of Mr. Pitt and Mr. Fox. Mr. Pitt justified Ministers in retaining Malta; particularly knowing the designs of Buonaparte in Egypt; and exhorted them in the most solemn manner to prepare vigorously for resistance to the aggrandizing measures of the French government. Mr. Fox, in a long and eloquent speech, condemned the conduct of Ministers throughout the late negotiations; insisted that our retaining Malta was a violation of good faith; and while he reprobated the insulting tone of certain expressions used on both sides, contended that there was no sufficient reason assigned for war. Mr. Fox concluded by giving notice, that he should, at no distant period, move an Address to the King, advising the acceptance of the mediation of Russia. His strong sense of duty, and deep anxiety of mind, had impelled him to deliver his sentiments so much at length. He exhorted the House to pause, and to satisfy themselves, as well as their constituents, and all Europe, that this tremendous conflict could not be avoided.

The Grenvilles, in both Houses, supported the Addresses, on this occasion.

On the 27th of May, Mr. Fox made his promised motion respecting the mediation of Russia, which Mr. Pitt supported.

Lord Hawkesbury contended, that "no fair Parliamentary grounds had been laid for the motion, and that it was one which might do much harm, but could do no good. He thought no case had been made out which would warrant the interference of Parliament in the exercise of the royal prerogative. He declared most expressly, that since the signing of the peace at Amiens, no efforts had been wanting to endeavour to establish such a concord among the Continental Powers as might best secure their peace and independence; this was done without any necessity of going to war for the purpose of setting the Continent to rights, but merely for defensive operations and to preserve the peace of the Continent. He considered that the proposal of making use of the Russian Ambassador as an intermediary in the discussions with France, could not be productive of any advantage while France refused, positively refused, to accede to the only terms to which his Majesty could listen. He objected to the motion, not so much upon the principle of it, as because it appeared to him unnecessary, and that it conveyed an unfounded distrust of the sincerity of Ministers in their desire of peace."

Mr. Fox disclaimed any such feeling: and afterwards said, that "finding the sense of most parts of the House was with him, he should not press his motion to a division, if the noble Lord would

state whether Government intended to avail itself of the disposition manifested by the Emperor of Russia, or whether the Court had offered its mediation."

To this Lord Hawkesbury replied, that "the offer of Russia was made in a very loose and general way, and just at the time when Lord Whitworth was on the point of leaving Paris. Our ultimatum had been rejected, and the negotiations were then at an end. The British Government was ready to accept the mediation of Russia, both with respect to our own disputes with France, and to the general interests of the empire; but at the same time, until those disputes could be settled, Ministers could not advise his Majesty to suspend, in any degree, his exertions for the prosecution of the war."

Ministers were, however, tardy in their preparations for the opening conflict: and Lord St. Vincent, in particular, seems to have carried reform or rather retrenchment into every department of the navy, with little consideration of the precarious state of our relations with France.

Colonel Patten, in the month of June, brought forward a formal motion of censure on the Administration, comprised in five resolutions, which charged them in substance with having deceived the nation, and betrayed the interests of the country, by holding out hopes of continued peace, at

the very time when, according to their subsequent declarations, they knew that France was pursuing an unvaried course of aggression, violence and insult. As a proof of their incapacity, and criminal inattention to their duty, it was stated, in one of these resolutions, that "on the 16th of October, 1802, counter-orders were dispatched by Ministers, revoking the orders before given for the surrender of the Cape of Good Hope, and of the other conquests made by England during the late war; and that the final orders, in consequence of which that settlement was actually evacuated, were issued on the 16th of November, when the hostile spirit of France has (as avowed by Ministers) been manifested, for more than six months."

Mr. Pitt, on this occasion, first exhibited his distrust of the measures of the Administration. Overtures had been previously made to him to join the Cabinet, which he declined to accept, principally, as he alleged, because he did not conceive them to originate from "the highest authority;" at any rate a negotiation for his admission to power went off in April; as well as similar overtures to Lord Grenville and Lord Spencer.

Mr. Pitt now declared that he differed both with those who would affirm, and those who would negative the resolutions of Colonel Patten. "He could neither vote that the papers on

the table of the House proved 'criminality, incapacity, or misconduct in Ministers;' nor could he think that their explanation was sufficiently clear:" he therefore moved the other orders of the day.

Lord Hawkesbury, in reply, said, that "he had never before risen in Parliament with such feelings as those that now oppressed him. With every wish to do justice to the feelings of his right honourable friend in making the motion, with which he had concluded his speech, he and his colleagues should be shrinking from their duty to themselves if they were to accept the compromise offered between a direct censure and a total acquittal. A charge of crimination, founded upon the papers laid upon the table, had been brought forward. He asked if there was an instance in which propositions, founded on such documents, and involving the conduct of Ministers, had not been met with a direct negative or affirmative? A motion of inquiry might be got rid of by a previous question; but when a direct charge was made, grounded on facts, rising out of public documents, a previous question was not the fit way of disposing of the subject. No man was more ready than he was to acknowledge the prerogative of the Crown to choose its own Ministers; but on the other hand Ministers were responsible to Parliament for the exercise of their

functions; and when Parliament saw sufficient grounds of censure, they ought to state it, and then Ministers, no longer able, usefully able, to serve the public, ought to retire. Independently of private considerations, he must contend that the credit of the Government ought to be maintained, particularly at such a crisis as the present. But he had no difficulty in saying, that those who wished to destroy the Administration, ought to vote for the resolution, because that was their obvious tendency, while the vote which his right honourable friend had proposed, would have the effect of discrediting Government, and leaving them discredited in possession of functions, which they could not exercise with honour to themselves, or advantage to the public. His right honourable friend had declined going into details. He wished, however, that he had afforded some details; that he had pointed out those parts of the conduct of Ministers which he could not approve, that they might have an opportunity of meeting any charge, or explaining what was deemed exceptionable. It was possible that in a long and arduous course of conduct, some measures might be liable to objection. In a country like this, however, he always held it to be a fair principle, both of support and of opposition to Ministers, that those who agreed or disagreed with them should do so on a general system. It was

not to be expected that they should all approve every particular point. These he had always understood were the general principles, and he regretted that Mr. Pitt had not made up his mind to act upon them.

"He asked whether, after surveying the conduct of Ministers, during a period of unexampled difficulty, he was not now prepared to say yes or no, directly to a motion of censure? On the Russian armament, he well remembered that his right honourable friend and himself had not thought it sufficient to get rid of a motion of censure by a previous question, but in circumstances when the Government in one point had given up, yet the charges were met boldly, and directly negatived. He wished, that on the present occasion, Ministers might either be acquitted or condemned. He was sure, from what he knew of his right honourable friend, that his motives in bringing forward a previous question, were pure and upright; but Ministers could not acquiesce in the discredit of a suspended censure. If it were the desire of Ministers to retain their places at all hazards, they might accept the compromise which had been offered; but he could not say for himself and his colleagues, that they had any desire to remain in office longer than they could be useful to their country. If he felt himself reduced to that situation, in which he

could not serve it with advantage, he would carry the seals to the feet of his gracious Sovereign, and entreat him to appoint a successor more worthy.

" It was that they might not remain in office discredited and useless, that he must oppose the previous question; for he could not think of remaining an hour in office after having forfeited the confidence of the House and the good opinion of the country."

Mr. Fox and several of his friends retired on this occasion without voting: Mr. Canning voted for Colonel Patten's motion of censure: on Mr. Pitt's motion of adjournment, the numbers were ayes, 56; noes, 333: the original motion was then negatived by a large majority.

On July 18th, 1803, we find his Lordship defending a new Property Tax Bill to the amount of 5 per cent., and the Levy en Mass Bill. Mr. Windham, while he censured the Ministers, would not oppose the latter measure, but wittily remarked " that the proposed levy seemed to him to be likely to realize Major Sturgeon's description: 'Dogs barked in the rear, bullocks advanced in the front, and threw us all into confusion.' As to the enrolment, for any thing he could see, it might be very proper, or might be in a great measure useless; but he had the strongest objections to compulsory service if volunteer service

could be readily obtained, which he thought it might if proper measures had been pursued. He long had advised the Ministers to warn the nation of its danger—while they lulled themselves into false security, until like drowsy watchmen they were at length awakened, and obliged to spring their rattles; which made a great noise but did no execution."

Lord Hawkesbury observed, "that the present Bill united as much as possible the encouragement due to the volunteer system, with those strong measures of compulsion which the honourable gentleman was an advocate for. As long as a sufficient number of volunteers could be found in any district, the bill ceased to operate." He concluded by warmly defending the conduct of Ministers from the charges brought against them, and declared their fixed determination to defend to the last extremity, every acre of British ground.

On the 28th of this month, in consequence of the insurrection in Ireland, by which Lord Kilwarden lost his life, Ministers called upon Parliament to pass a bill for trying the rebels by martial law; and another for suspending the Habeas Corpus Act in Ireland. When Mr. Windham objected to this as unusual, Mr. Sheridan strongly advocated the necessity of the step.

Lord Hawkesbury spoke in reply to Mr. Wind-

ham with a warmth not very usual with him: he said "the right honourable gentleman had formerly been troubled with no such qualms or delicate scruples as he was at present; he had frequently before voted addresses the same day the message had been delivered. The proposition of delay was perfectly absurd in such an emergency as the present; the only tendency of his objection was to show that there did not exist a perfect unanimity in that House."

On the 11th of August, Colonel Hutchinson opened the last debate in the session with a motion on the affairs of Ireland. He began by stating "how material it was, especially at the present time, for his Majesty to be enabled to avail himself of all the resources of every part of the United Kingdom, and therefore it was most desirable to put Ireland into such a situation as to make her natural strength, wealth, and population, as conducive as possible to the general security of the empire. He therefore called upon Ministers to attend to the state of Ireland, and to reform radically the system by which it had been so long governed, as that appeared to him the only means to place that country beyond the reach of foreign attack, or domestic treason. He did not mean to charge any set of men with a deliberate breach of promise, but he must say generally, that respecting Irish affairs, he saw

more negligence and supineness than he had ever witnessed respecting the smallest English interest. The Revolution of 1688, which gave liberty to England, brought no benefit to Ireland; but, on the contrary, laid the foundation of all those unhappy differences which had so long distracted that country. Although many of the penal statutes against the Irish Catholics had been done away, yet he thought the whole of the vicious system should be removed. It would be vain to look for harmony in a country where the minority is to lord it over the majority, and where the meanest and basest of those professing the religion of the minority is to have more political power than the richest and most exalted of those whose religious belief is different. He wished that a deputation would go from that House to examine the miserable state of the Irish peasantry and to report from what it saw. From the time that the Union had been passed, nothing had been done to improve the system of Government in that country, and render its inhabitants more happy and contented. No enlightened statesman could suppose that merely passing the act of Union was sufficient to unite the people of both countries in affection. He strongly recommended to Government, in case any commotion should happen in Ireland during the recess, to meet it with vigour, but not to suffer such cruelties to

be practised as were done in the last rebellion." He concluded by "moving an address to his Majesty, for information respecting the late rebellious outrage in Ireland, and the present state of that country."

Lord Hawkesbury maintained that the motion was highly inexpedient at the very conclusion of the session, when there was no time to discuss the affairs of Ireland fully and fairly. He objected to it also as not likely to be productive of any good effect at the present crisis.

Mr. Elliott thought the motion proper and necessary.

Lord Castlereagh insisted that the Irish Government were not surprised; that Dublin was sufficiently garrisoned; and that if it was not for the murder of Lord Kilwarden, the insurrection of Dublin was not important enough to be called a rebellion.

Mr. Windham thought that the information sought, and the observations made by the hon. mover, were not of a nature to do any mischief, but that on the contrary, much good must result from it. The Government of Ireland appeared to him to have suffered itself to be completely surprised.

In reply, the Chancellor of the Exchequer accused the Right Honourable Gentleman of "*himself* showing that tardiness and indecision; an indeci-

sion which he imputed to others, when he hesitated immediately to vote the customary address of thanks to his Majesty for the communication respecting Ireland. On such an occasion as that, delay would have been ruinous, and yet the right honourable gentleman was for delay. As to the general state of Ireland, it was foolish to suppose that that spirit which had before manifested itself in rebellion so widely extended, should now be completely extinguished; yet he would say that he believed it had abated considerably of its violence, and that numbers of persons in that country who were formerly disaffected, had now entirely quitted the cause of rebellion, and would be ready to join in the defence of the country against any invader."

Colonel Hutchinson made a very able reply to the different objections that had been made to his motion, and dwelt particularly on the cruelties which, during the last rebellion, had been committed under the mask of law, and covered by the Act of indemnity: but the motion being put, it was negatived without a division.

During this session of Parliament, the great political parties of the country had become singularly subdivided and scattered. Mr. Pitt gradually withdrew himself from the support of Administration; but did not re-unite with the Grenvilles, or the Grenville-Windhamites, as they have

been called, who, while they openly arraigned the competence of the Ministers, warmly supported the war; and abstained from obstructing any of the measures necessary for the public defence.

Mr. Tierney and Mr. Hobhouse voted with the Ministry against Colonel Patten's motion: and both came at this time into office.

Mr. Sheridan moved a vote of thanks to the volunteers, and acted on other occasions with the party in power. Mr. Moore tells us he had proposals made to him to join the Administration, as had Mr. Erskine.

The other Whigs, or old Opposition as they were called, appeared sometimes in the ranks of the new Opposition, but often voted alone. We have the authority of the biographer of Sheridan, for believing that an attempt to produce a coalition between Mr. Fox and the Grenville-Windhamites was only frustrated by a meeting of some of the most respectable of the Whig party at Norfolk-house, who urged "manifold reasons" against such a procedure, both as affecting character and party.*

At the opening of the next session, Lord Hawkesbury, as a means of strengthening the

* Moore's Life of Sheridan, vol. ii. p. 324. *If* indeed, this remarkable 'State of Parties,' evidently written for a newspaper, was not a mere *jeu d'esprit* of Sheridan's, designed in an insidious way to frustrate the coalition in question.

Ministry in the House of Lords, was called up to that House by writ, as a peer's eldest son.

At the beginning of 1804, occurred another of the short but alarming relapses of his late Majesty. Ministers, however, pledged themselves that "no necessary suspension of the royal functions" had occurred: and about the middle of March, his Majesty's health was declared to be re-established.

In connexion with the military arrangements, a Bill was brought forward on the 1st of February, 1804, for consolidating and explaining the existing laws relative to the volunteers. In the course of the debates to which it gave rise in the House of Commons, Mr. Pitt proposed that this description of force should be subjected to stricter discipline and more active service, that it might be more nearly assimilated with the regular army; but his amendments were rejected.

On the 15th of March, he moved for an inquiry into the administration of the affairs of the navy. He called for the production of an account stating the number of ships and armed vessels in commission at three different periods, 1793, 1801, and 1803, from which he thought the result would be a conviction, that, considering the existing dangers of the country, its naval resources were more inadequate at the present than at any former period. The Board of Ad-

miralty had considered gun-boats peculiarly serviceable for resisting invasion, yet in the course of a year they had built only 23, while the enemy, in the same space of time, had constructed 1000! From the moment that hostilities were renewed, our navy ought to have been increasing instead of diminishing. Notwithstanding which, Government had only contracted for the building of two ships of the line in the merchant-yards, when it was well known, that during a war, the building of ships was always nearly suspended in the King's-yards, which were then wanted for repairing damages which our ships might sustain in the service. It was also worthy of remark, that in the first year of the late war our naval establishment was increased from 16,000 to 76,000 seamen, whereas, having begun the present war with an establishment of 50,000, we had augmented them in the course of the last year to only 86,000.

Mr. Tierney resisted this attack by enumerating the efficient naval force, and asserted that it was adequate to all the purposes both of defence and aggression. Some of his statements, indeed, were controverted by Admiral Berkeley, who urged the necessity of immediate inquiry. Mr. Sheridan vindicated the Admiralty, and hinted that Lord St. Vincent had rendered himself obnoxious by his laudable zeal in the correction of

abuses: an eulogium in which Mr. Fox joined, but expressed at the same time his opinion that the naval defence of the country had been neglected.

Mr. Pitt's motion was finally negatived by a majority of only 71.

The only measure of importance to the Administration, which Lord Hawkesbury brought forward in his new situation in the legislature, was the Volunteer Consolidation Bill.

Upon the second reading of this Bill being moved on the 27th of March, he observed, "that the principle upon which the volunteer system was founded, was the ancient and undoubted prerogative of the Crown to call out all the liege subjects of the realm, in case of invasion, or any strong probability of it. It was from that prerogative of the crown whence the defence act sprung, and it was from the defence act that the present volunteer system originated. He agreed perfectly with what had fallen from Lord Grenville on a former night; namely, that the volunteers ought only to be employed as an auxiliary or subsidiary force, assisting the regular army. He was now proud to say, that there was in the United Kingdom, an army of troops of the line and militia, amounting to one hundred and eighty thousand men, which was more by forty thousand than we had in 1801, when we had many foreign

colonies to garrison. In addition to which, he should state distinctly, that the effective volunteer force, in Great Britain only, amounted to three hundred and thirty thousand men, as appeared by the returns of the inspecting officers. He should allow, that if the object of the enemy were the final subjugation of the kingdom, an armed peasantry might be the most effectual means of frustrating the attempt; but, as he could never suppose the enemy could expect to keep a permanent footing in the country, and that their plan of invasion would have for its object, the doing the greatest possible quantity of mischief, in the shortest time, he thought an invasion of such a description could be better resisted by volunteers having some discipline, than by an armed peasantry that had none. He trusted that the principle of the bill would be generally approved of, whatever objections might be found to particular clauses. Many persons thought the volunteer system had, within itself, the principles of its own dissolution. He felt too much confidence in the spirit of the country to suppose so; but should it turn out to be the case, it would become the duty of Ministers to advise his Majesty to recur to the provisions of the General Defence Act."

Some noble lords expressly denied the King's possessing any such prerogative as that contended

for; as did Mr. Fox in the House of Commons. Lord Grenville qualified his denial of it, by the exception, 'without the sanction of Parliament.' He, however, only lamented that Ministers had," as he said, "sacrificed to the volunteer system the regular and more efficient force of the country." The bill was read a second time, and ordered to be committed on the first day after the Easter recess.

The dissolution of the Ministry was now evidently at hand. Since the commencement of the war, it had preserved its ground, rather by the divisions among its opponents, than its own comparative strength: and on all the measures connected with the defence of the country, it was attacked with great success in the House of Commons. On the 23d of April, Mr. Fox moved for a Committee, to revise the several bills which had been proposed for the accomplishment of this great object, and for devising efficient measures for complete and permanent defence. Mr. Pitt supported the motion, taking a comprehensive view of the actual state of the country, and its means of military defence; and only differing from Mr. Fox on the power vested in the King, by the constitution; of calling out all his subjects in time of danger.

Ministers carried the question against this motion by a majority of only fifty-two. Two days

after, Mr. Pitt resisted a motion, made by Mr. Secretary Yorke, for the House to resolve itself into a Committee on the Army of Reserve Act; and the plan of Ministers, on the division, had only two hundred and forty votes; against it were two hundred and three: leaving them only a majority of *thirty-seven*.

The Marquis of Stafford having, in the interim, given notice of a motion in the House of Lords similar to that of Mr. Fox, the order of the day for that motion was read in the House on the 30th, when Lord Hawkesbury entreated the noble Marquis to postpone it. "He was ready," he said, "to pledge his character, both as a Minister and a Lord of Parliament, that the reasons which induced him to make this application were of such a nature, as, if known to the noble Lord, would gain his ready acquiescence: they were, however, of that delicate nature that he could not consistently with his duty then mention them." He afterwards said, "that the reasons to which he alluded were not light and trivial, but of great importance. He had said all that he could, consistently with his duty, to prevail upon the Marquis to postpone his motion. If he had been unsuccessful he was sorry for it, and ready to meet the discussion."

After some objections had been stated by Lord

Grenville (for it was expected that the Ministers would have been left in a minority on this question if it had been entered upon) the postponement was agreed to.

We find under this same date a circular note of Lord Hawkesbury's, disclaiming indignantly to the Ministers of Foreign Courts, resident in London, the atrocious and utterly unfounded calumny that the Government of his Majesty had been a party to plans of assassination: "an accusation, it is said, already made with equal falsehood and calumny by the same authority against the members of his Majesty's Government during the last war; an accusation incompatible with the honour of his Majesty, and the known character of the British nation; and so completely devoid of any shadow of proof, that it may be reasonably presumed to have been brought forward at the present moment for no other purpose than that of diverting the attention of Europe from the contemplation of the sanguinary deed which has recently been perpetrated, by the direct order of the First Consul, in France, in violation of the rights of nations, and in contempt of the most simple laws of humanity and honour." This was the detestable murder of the Duke d'Enghien.

Mr. Addington now determined on retiring from Administration, when he should have ad-

justed the financial concerns of the year. On the 3rd of May, therefore, the last motion of Administration was carried in a vote of thanks to the civil and military officers of the army: on the 12th, it was announced that the Premier had resigned.

CHAPTER V.

LAST ADMINISTRATION OF MR. PITT.

Mr. Pitt directed to form an Administration.—Endeavours in vain to include Mr. Fox and his friends.—Lord Hawkesbury, Secretary of State for the Home Department.—Additional Military Establishments and Plans.—Mr. Wilberforce renews his Motion for the Abolition of the Slave Trade, and carries it in the House of Commons.—Rejected in the Lords.—Buonaparte becomes Emperor of the French—War with Spain.—Debate on its Causes.—Lord King's Attack on Ministers.—Resisted by Lord Hawkesbury.—Report of the Commissioners of Naval Inquiry.—Mr. Whitbread's Resolutions criminating Lord Melville.—Mr. Pitt's Conduct on this Question.—The Addingtonian Party votes against Ministers.—Roman Catholic Question debated in both Houses.—Lord Hawkesbury's Speech.—Bishop of Durham's.—King's Message delivered by Lord Hawkesbury.—Grant thereon.—New coalition with Russia, Austria, and Sweden; terminated by the Battle of Austerlitz.—Battle of Trafalgar.—Mr. Pitt's health declines.—Parliament opened in his absence.—Mr. Pitt's Death.

It was at this eventful crisis expected throughout the nation, that the chiefs of the three great political parties would have been united in power.

Mr. Pitt, to whom the King at once consigned the task of forming an Administration, seems to have made every fair effort to act upon this principle; but the personal objections of the Monarch to Mr. Fox were insuperable: and Lord Grenville and his friends declined the proposals of Mr. Pitt, on the ground of his being compelled to recognize "this principle of personal exclusion," as they termed it. "It is one," said Lord Grenville, "of which I never can approve, because, independently of its operation to prevent Parliament and the people from enjoying the Administration they desired, and which it was their particular interest to have, it tends to establish a dangerous precedent, that would afford too much opportunity of private pique against the public interest. I, for one, therefore refused to connect myself with any one argument that should sanction that principle; and in my opinion, every man who had accepted office under that Administration, is, according to the letter and spirit of the Constitution, responsible for its character and construction." These remarks were made by his Lordship in the House of Peers, on the motion of Lord Darnley, for the repeal of the Additional Force Bill. There was published at the time an able letter from Lord Grenville to Mr. Pitt, expressing the same sentiments.

It appears to have been thought by the friends

of the parties left in Opposition, that Mr. Pitt did not sincerely endeavour to include his great rival: and the willingness of the King to admit Mr. Fox to power afterwards, has been quoted as a proof of it. But it is to be remembered, that Mr. Pitt was, in the latter case, no more; that to expect him to decline office on such a point, was unreasonable; and that his Majesty did not even in the case alleged, accede to Mr. Fox's admission into the Cabinet, until Lord Liverpool had declined the Premiership.

In the Cabinet were now, Mr. PITT, First Lord of the Treasury, and Chancellor of the Exchequer; Duke of Portland, President of the Council; Lord Eldon, Lord Chancellor; Earl of Westmoreland, Lord Privy Seal; Lord Viscount Melville, First Lord of the Admiralty; Earl of Chatham, Master General of the Ordnance; Lord HAWKESBURY, Secretary of State for the Home department; Lord Harrowby, Secretary of State for Foreign Affairs; Earl Camden, Secretary of State for the department of War and the Colonies; Lord Castlereagh, President of the Board of Controul for the affairs of India; and Lord Mulgrave, Chancellor of the Duchy of Lancaster.

Mr. William Dundas was Secretary at War; Mr. Canning, Treasurer of the Navy; Mr. George Rose and Lord Charles Somerset, Joint Paymasters of the Forces; the Duke of Montrose and

Lord Charles Spencer, Joint Paymasters-General; Mr. Huskisson and Mr. Stourges Bourne, Secretaries of the Treasury; Sir William Grant, Master of the Rolls; Mr. Perceval, Attorney-General; Sir Thomas Manners Sutton, Solicitor-General; Lord Hardwicke, Lord Lieutenant of Ireland; Lord Redesdale, Lord Chancellor; Sir Evan Nepean, Chief Secretary; and Mr. Corry, Chancellor of the Irish Exchequer.

The first effort of Administration was to place the military establishments on a more enlarged and permanent footing.

On the 5th of June, the new Minister produced his plan for raising and supporting an additional permanent military force. Mr. Fox and Mr. Windham agreed in the principle of his bill; but found much to censure in many of its provisions. The late Ministers, Mr. Yorke and Mr. Addington, dwelt on the dangerous policy of maintaining an immense regular force, and of reducing the militia, the ancient and constitutional defence of the kingdom.

The Bill was ably defended by Mr. Canning; but chiefly by Mr. Pitt himself, who observed with some warmth upon the combination evidently formed against him, before he had carried into effect any one measure which could be characterized as good or bad. Sincere as he had been in his wishes for an extended Administration,

such conduct led him to question the possibility of harmony in a cabinet formed of such discordant materials.

In the House of Lords, while the Earl of Moira thought the Additional Force Bill "fell infinitely short of what had been generally expected," Lord Grenville objected to it, "upon the ground of its going to establish a large permanent standing army in time of peace."

Lord Hawkesbury contended, "that the army of reserve, upon the principle of which the present plan was formed, was one of the wisest and most efficient measures ever adopted by Parliament to meet a particular crisis. That measure had produced great benefit, but having answered its purpose, the present bill went to retain the most essential parts of it; and instead of imposing new burthens, took away a great deal of the heavy and unequal pressure of the former act. He considered that the force to be so raised would be preferable to the militia in some respects. It would be disposable for the defence of every part of the United Kingdom, and it would be commanded by experienced officers. He could not see how this force could be considered unconstitutional; as it would be as much under the control of Parliament, as any other description of force that was to be kept up. As a permanent measure of security, it would in future free us

from the embarrassments which we always experienced at the commencement of every new war, for want of men."

On the House dividing, the bill, which was understood to be a fair trial of the strength of the new Government, was carried by 154 (votes and proxies) against 69.

We find his Lordship, this same session, introducing Mr. Western's Corn Trade Bill into the House of Lords.

At a late period of the session, Mr. Wilberforce renewed his noble attempts to put an end to the Slave-trade; and a bill for that purpose passed the House of Commons by a majority of 75 to 49. But, on its transmission to the Upper House, though sixteen years had elapsed since the question was first agitated, it was postponed, on the motion of Lord Hawkesbury, for maturer investigation in the ensuing session.

While at home many of the former adherents of Mr. Pitt were coalescing with his old opponents, the colossal power of Buonaparte was destined, at this time, to reach its height. The French Senate, on the 18th of May, decreed his possession of the Sovereign power of the Republic by the title of Emperor of the French; power was given him, if he should have no male issue, to adopt an heir from the children or grandchildren of his brothers: the title of Prince and

Princess, and of Imperial Highness, was conferred on all the members of the Buonaparte family, of whom Prince Joseph was nominated Grand-elector, and Prince Louis constable of France; and the titles of the two subaltern Consuls merged in those of Arch-chancellor and Arch-treasurer. A number of generals were raised to the rank of marshal: in short, all the forms and decorations of Imperial dignity were at once adopted. The religion of Rome, in this instance sufficiently pliant, was pressed into the same service; and letters were sent to all the prelates of France by the Emperor, announcing his elevation, and dictating an ecclesiastical ceremonial for the occasion.

Finally, his holiness, Pope Pius VII., was summoned to Paris to assist at the Coronation of the modern Charlemagne. On leaving Rome, he said to the consistory—"Our dearest son in Christ, Napoleon, Emperor of the French, who has so well deserved of the Catholic religion for what he has done, has signified to us his strong desire to be anointed with the holy unction, and to receive the Imperial crown from us, to the end that the solemn rites, which are to place him in the highest rank, shall be strongly impressed with the character of religion, and call down more effectually the benediction of Heaven!"

Spain was now for a length of time to be added

to the number of his abject allies. By the treaty of St. Ildefonso, signed in 1796, she had agreed to furnish to France in time of war a certain contingent of naval and military force, but this had not been acted upon in the present contest. Buonaparte, in fact, found that the Spanish flag was more useful to him, for a time, as that of a neutral than a belligerent, as she could thereby supply France with the produce of her colonies. It was at length however discovered that he exacted from her regular contributions. Considerable armaments were also now preparing in the Spanish ports: and our cruisers received orders to detain any armed vessels departing, and all treasure ships entering them. In consequence, Captain Moore, commanding a squadron of frigates, on the Spanish coast, seized (October 5, 1804,) three vessels from the Rio de la Plata, richly laden: and a declaration of war against Spain was issued June 24th, 1805.

On the meeting of Parliament, these transactions occupied a prominent share of attention.

In the Commons, Mr. Grey, Mr. Fox, Mr. Windham, and Lord Temple united in condemning the conduct of Ministers: in the Lords, (11th of February), the defence of Government was conducted principally by Lord Mulgrave; while Lord Grenville warmly attacked the late measures. He stigmatised the seizing of the Spanish

treasure ships as "an atrocious act of barbarity," calculated to "stamp indelible infamy on our name;" and declared "he spoke from sincere conviction that the war, which might have been prevented by common care on our part, and which was as unprovoked as unnecessary, would be most grievous and unfortunate for the country." This prophecy is as remarkable, in the retrospect, as the fact that on the subject of the seizure of these ships, although the negotiation was continued between the powers three months afterwards, not a complaint was ever made by the Spanish Government.

In reply to Lord Grenville, it was contended by the Home Secretary, "that Spain, by the treaty of St. Ildefonso, became *ipso facto* the offensive and defensive ally of France, which placed her in a relation of hostility to this country; she was not to be regarded as a neutral state, but one against which policy only enjoined forbearance as long as it was possible. Having no allies in our contest with France, nor any immediate chance of a continental diversion in our favour, we had at all events to wait till our naval and military establishments attained their proper height. In that interval great management was required with Spain, with a view to the security of Portugal. Thus circumstanced, policy forbade us to put every question to Spain so categorically as to leave no

issue but peace or war. This certainly was not the mode to be adopted when our object was such a delay as might have enabled Spain to disentangle herself, as she, for a time, appeared disposed to do, from her obligations towards France, and to place ourselves in a situation to protect our ally, the Queen of Portugal. The agreement that the Spanish armaments should cease, and condemnation and sale of prizes in the Spanish ports be stopped, was a condition, not of her neutrality, but of our forbearance, and at all events had been quickly violated." His Lordship then mentioned the armaments at Ferrol, at a time when there were four French men-of-war in the port, which, by a junction with the Spaniards, might be soon brought to contend with the blockading squadron; and observed, that "the pretence of these armaments being intended to send troops for quelling the insurrection in Biscay, was all a feint, as there was no port in that quarter where a single man could be landed; and even if there were, it could not be necessary that the ships which conveyed them should be armed and equipped for war. It was evident, upon the whole, that it was the full intention of Spain to declare war as soon as her treasure ships should arrive, and her permitting French troops, sailors, and artillery-men to march through her territory, was no slight indication of hostility to us. Under

these circumstances we entered on an incomplete hostility, when the right of full, complete, and absolute hostility was substantially in our hands. Spain, it was said, suffered, but then it was her own fault. Had she been capable of manly exertion in her own behalf, to free herself from French thraldom, she would have met with every support and assistance from us. But while she remained under the vassalage and dictatorship of the ruler of France, friendly even she dare not be, neutral she could not be, and hostile she must be at the mandate of her ally; which made it incumbent on his Majesty's Ministers to guard against the hostility to which this country, from necessity or otherwise, must inevitably be exposed."

The debate was prolonged until four o'clock in the morning, but the address was carried without a division.

On the 8th of March, Lord King opened a new attack on the defensive measures of Administration. Adopting the arguments of Mr. Windham in the House of Commons, he contended that there was a general want of system and regularity in the military measures of Ministers; that the various bills of the late and present Administration were mere temporary expedients; and he particularly reprobated the practice of enlisting men for life. He moved for "a Committee to

revise the different acts passed in the two last sessions of Parliament for the military defence of the country, and to consider of such farther measures as may be necessary to make that defence more complete and permanent."

In this debate, the late eccentric Earl Stanhope also reprobated the measures of Ministers. He insisted that "the penalties must fall upon the farmers, who could only pay it by raising the price of corn, and other provisions of the first necessity, upon the people. This would inevitably lead to an increase in the price of labour. It was founded on a mischievous, famine-mongering system, and if it raised the men first, it would starve them afterwards. He expressed himself friendly to a general armament of the people, and his apprehensions from the present state of indiscipline of our force; which, however, was the less to be wondered at, when they recollected, that, under the Administration of the present noble secretary of state, (Lord Camden) in Ireland, in 1798, the then commander-in-chief (General Abercrombie) stated 'that the army there, from its indiscipline, was only formidable to itself, and not to the enemy.' Our state of defence was worse now than before. The present Minister did not scruple to call his predecessor and present colleague, (Lord Hawkesbury,) we

presume) a fool and a simpleton, and yet that noble Lord had more sense in his little finger, than the present Minister in his whole body; and that was not saying much. Upon the whole, he reprobated the defence bill, as founded on wickedness, and that wickedness founded on fraud."

Lord Carlisle advocated the motion of inquiry, in order to ascertain the point of limited and unlimited service, on which military opinions seemed to be at variance.

Lord Hawkesbury said "he must resist a motion, a compliance with which would devolve the military administration of the country on a Committee of that House, and which would imply that want of confidence in his Majesty's present Ministers, which, if entertained, would be more properly the ground of an address for their removal. As such a motion, therefore, could have no other object than the censure or removal of Ministers, he was determined to meet it with a direct negative. His Lordship then entered into a review of the different species of force now possessed by the country, and, from a number of statements and calculations, thought himself warranted in concluding that he had proved, that we were, according to our population, much more than equal in military power to France, or any other country in the world; that, therefore, the Ministers had done every thing

that it was possible to do, and there was no specific nor sufficient Parliamentary ground made out for the present motion."

His Royal Highness the Duke of Clarence and Lord Grenville both supported the motion: it was, however, lost by a majority of seventy-five in favour of the Ministers.

Lord Hawkesbury, on moving the second reading of the Militia Enlistment Bill, in the House of Lords, on the 4th of April, also took occasion to advert to the present military force of the United Kingdom, "than which nothing," he insisted, "could be more respectable, as far as regarded our national security; all that was required now, was to have an increase of our *disposable force*, particularly of infantry, and the question was, whether this bill afforded the best means of providing it? the present militia establishment was made without any reference to the volunteer system. The principle of reducing the militia had been last year, as well as frequently before, recognized by Parliament; and that being the case, he did not see, considering the existing necessities of the country, that there could be any material objection to the mode of doing so."

The trial of Lord Melville is a business more properly connected with the history of the succeeding Administration. We shall only in this place advert to those preparatory and sufficiently

decisive measures against his Lordship, which deprived the Administration of Mr. Pitt of one of its ablest supporters. These measures were grounded, it is well known, on the tenth report of the Commissioners of Naval Enquiry, appointed during the naval administration of Lord St. Vincent.

On the 13th of February, 1805, the Commissioners published their report of the office of Treasurer of the Navy. On the 8th of April, Mr. Whitbread moved a number of resolutions connected with the topics of the Report; one of which (the 11th) was: "That the Right Honourable Lord Viscount Melville having been privy to, and connived at, the withdrawing from the Bank of England, for purposes of private interest or emolument, sums issued to him as Treasurer of the Navy, and placed to his account in the Bank, according to the provisions of the 25th George III. c. 31, has been guilty of a gross violation of the law, and a high breach of duty." Mr. Pitt in vain endeavoured to shield his friend and coadjutor by moving the previous question: the House having equally divided on Mr. Whitbread's resolutions, the Speaker's casting vote carried them in the affirmative.

Mr. Fox never made a remark in the House of Commons with more effect than on this occasion. "It has been said," he observed, "that the House

should proceed with the utmost delicacy in deciding upon character; but the character of Lord Melville was already so completely destroyed, in the public estimation for ever, that were the vote of this night unanimous in his favour, it would not have the slightest effect in wiping away the stigma universally affixed to his name. What was the world to think of retaining a man at the head of the naval department, who, when asked if he had derived any advantage from the use of the public money, was obliged equivocally to answer, "to the best of my recollection I never did." If a man were asked if he was not, on a particular night, in a particular room, with John a Noaks, it might be very well to answer that, to the best of his recollection, he was not there; but if he were asked whether John a Noaks did not charge him with an attempt to pick his pockets, what would be the inference if he were to answer that John a Noaks did not to the best of his recollection?"

Mr. Canning contended that "the justice of the House would require of it to give an opportunity of examining whether the whole of the charge against the noble Lord might not be done away; for there was no analogy between this case, and that referred to, of the Middlesex election, where the parties were fully heard by themselves and counsel, and allowed to cross-examine witnesses: but here the parties, instead of being

fully heard, were not heard at all. The breach of the law, in this instance, was by no means clear; for the law could scarcely have meant that which was physically impossible."

The Addingtonian party, as it was called, although their chief was at this time in office, voted on the present question against the Ministers.

Lord Melville at once resigned office, and his name was erased from the List of the Privy Council: on the 25th of June, the mode in which this business should be finally conducted, became the last topic on which Mr. Pitt spoke in the House of Commons.

Previously to this (May 3rd, 1805,) Mr. Leycester having delivered a message to the House of Lords, from the Commons, requesting their Lordships' permission for Lord Melville to attend a meeting of that House to be examined respecting the tenth report of the Naval Commissioners, Lord Hawkesbury moved "the standing order, which imported that no Peer of the realm should attend the House of Commons, or any committee thereof, to answer matters of charge or accusation against themselves, on pain of being committed to the Tower during the pleasure of the House."

His Lordship adverted to the circumstances upon which that order was made, and, after stating that the message clearly referred to the points

of accusation against Lord Melville contained in the tenth report of the Naval Commissioners, moved " that the message be referred to a Committee of Privileges, and the clerk be ordered to furnish them with such precedents of similar cases as may have occurred."

On this Lord Darnley objected to the motion, as it tended to throw difficulties in the way of public justice.

When Lord Hawkesbury disclaimed the idea, the Duke of Norfolk said, " that though the House could not compel Lord Melville to attend a committee of the House of Commons, he could have no objection to give him permission to do so if he thought proper.

The Lord Chancellor was for referring it to a Committee of Privileges, and, after some conversation, the motion of Lord Hawkesbury was agreed to.

The strength of the Administration was put to a farther trial this session by a petition from the Roman Catholics of Ireland being brought forward both in the Lords and Commons. As it gave rise to a more elaborate discussion of the Catholic Question than it had ever hitherto received, and Lord Hawkesbury took a decided part in it, we may notice some of the principal observations made.

Mr. Fox, in the House of Commons, described

it as " the cause of nearer a fourth than a fifth of the whole population of the British empire. The general principle, that so great a portion of our fellow subjects should, if possible, be on a footing with the remainder in the enjoyment of equal privileges and advantages, and the benefit of the constitutional Government, was incontrovertible, and one upon which there could subsist no theoretic difference of opinion. There were, therefore, two modes of considering the question; the first, as it regarded the rights of the subject; and, secondly, as it regarded the rights of the crown. As to the first, he contended that the people had a right not to be restricted in any thing, but where the safety of the country demanded. The restrictions laid on the Catholics were not on their religious, but on their political opinions, and the necessity, which might have occasioned them formerly, was now completely done away. He insisted that the penal and restrictive laws in Ireland were meant to operate not against Catholics, but Jacobites. It was therefore necessary, when there was no Pretender, nor any danger of the return of the Stuart family to the throne, by the indulgent system pursued during the present reign, and by encouraging trade, to restore to the Catholics a great part of that property which was taken from their ancestors.

The exclusion of the Catholics from offices was

a restriction on the prerogative of the crown which could not now avail itself of their services, though the King himself was obliged to be a Protestant. The greatest incentive any man could have to industry and enterprize, was, that he might possibly rise to as great fortune and degree as the greatest peer in the land. This charming prospect was denied to the Catholic, who feels that he can never rise to the top of his profession. Such was the degrading situation in which were placed one-fourth of his Majesty's European subjects. When the Catholics were permitted to sit in Parliament, no historian ever stated that any misfortune ever resulted from it. It was impossible that the Irish Catholics could send more than twenty members to that House; but, supposing they were to send eighty, what danger could it bring upon a representation, consisting of six hundred and fifty-eight members? The Catholics had not now even a virtual representation in Parliament, as the Protestant members had not a sympathy of common feeling with them. To reject this petition, therefore, would be to treat them as outcasts, and teach them to look for relief and protection elsewhere. He ridiculed all dangers apprehended from the power of the Pope; and the same reasoning, which implied that they were not to be believed on their oaths, was a libel

on all the nations of Europe, the inhabitants of three-fourths of which were Roman Catholics.

"It was trifling to suppose that people of different persuasions could not act together for the public welfare, or that, in a council of state, Ministers, instead of consulting about the affairs of the nation, should be always quarrelling about religious differences. He considered the connexion some time since formed between Ireland and France, to arise from the disappointment of the Catholics on the recall of Earl Fitzwilliam. The objections made, on the score of the coronation oath, he also considered as perfectly inapplicable."

Doctor Duigenan reminded the House, "that of the six peers and three baronets who signed the petition, one of the former was an Englishman, and three of the other peers had been created during his present Majesty's reign; and, on examination, it would be found, that a few years back, the whole Roman Catholic nobility of Ireland did not exceed one, or two at the most; which showed how little cause there was to complain of so much alleged degradation. There was not a single Romish ecclesiastic in the list of the petitioners; the reason of which, no doubt, was, that they were to take the oath of 1773, which disclaimed those injurious doctrines." He then entered into a learned disquisition on the principles

of that religion, as laid down by its councils and highest authorities, and concluded that as they could not be faithful subjects to a Protestant monarchy, they ought not to be trusted with political power.

Mr. Grattan observed, that "if the reasoning of the learned Doctor (Duigenan) were correct, it would be to pronounce against his country three curses, viz. eternal war with each other,—eternal war with England,—and eternal war with France. The learned Doctor's speech consisted of four parts, first, invective uttered against the religion of the Catholics; second, invective against the present generation; third, invective against the past; and, fourth, invective against the future. Here the limits of the creation interposed and stopped him."

Mr. Pitt pursued on this occasion the same line of argument which he had formerly adopted. He denied any *right*, on the part of the Romanists, to a participation of political power, and he considered the question solely on the ground of *expediency*. He stated his opinion to be, that "previous to the Union, in no possible case could the privileges so demanded be given, consistently with a due regard to the Protestant interest in Ireland, to the internal tranquillity of that kingdom, the frame and structure of our constitution, or the probability of the permanent connexion of Ireland with

this country. He admitted that, after the Union, he saw the subject in a different light; and was of opinion that, under an united Parliament, these privileges might be granted, with proper guards and conditions, so as not to produce any danger to the Established Church, or to the Protestant Constitution.

"But in declaring this opinion, Mr. Pitt did not mean to shut his eyes against the conviction, that a Catholic, however honourable his intentions might be, must feel anxious to advance the interests of his religion; it was in the very nature of man: he might disclaim and renounce that wish for a time, but there was no man, who was at all acquainted with the operations of the human heart, who did not know that the Catholic must feel that anxiety, whenever the power and the opportunity might be favourable to him. Neither did he mean to say, that the Catholics were not engaged in the scenes preceding the rebellion of 1798; nor yet to deny, though Jacobin principles were the foundation of the rebellion, that the influence of the priests, themselves tainted with those principles, might have aggravated the evil, though they were not the cause of it. But he expected to avert all danger by the adoption of *his proposed measures of caution and security*. He stated his idea to be, not to apply tests to the religious tenets of the Catholics, but tests applicable to what

was the source and foundation of the evil; to render the priests, instead of making them the instruments of poisoning the minds of the people, dependant in some sort upon the Government, and thus links, as it were, between the Government and the people.

Mr. Windham also advocated the cause of the Catholics. He said, that "the only consideration that could have reconciled him to the measure of the Union, was the idea that all disabilities attaching to the Catholics would then be removed, and the whole population of Ireland be united in interest and affection; nor did he see any thing now to alter that opinion. When he found the impediments started to this measure much stronger than he expected, he relinquished the Administration; and he believed, upon the same ground, the right honourable gentleman (Mr. Pitt) adopted the same line of conduct. Popular clamour and prejudice should not deter that House from doing now what was fit to be done, what the Minister thought four years ago ought to be done, and what he did not deny must be done hereafter."

Lord Grenville, on the 10th of May, moved the order of the day for the House of Lords "to take into consideration the petition of the Roman Catholics of Ireland." "He thought it would be a great evil and misfortune to the empire, if the

prayer of this petition was not granted; but he feared it would be infinitely more unfortunate, if the petitioners were given to understand that the doors of Parliament were shut to their complaints, if they were to be driven to absolute despair, and *the expectations held out to them by the Union*, completely frustrated.

"In the United Kingdom of Great Britain and Ireland, a population of not less than three millions by the lowest, and five millions by the highest calculation, were educated in the Catholic religion; and the House must never lose sight of the fact, that three-fourths of the people of Ireland were Roman Catholics. Those political opinions, adverse to the principles of the Revolution, and favourable to the exiled family of Stuart, which formerly operated, were no longer in existence. Upon this ground, the Catholics were not to be allowed any influence, because influence led to power; not to be allowed property, because property led to influence; not to enjoy the free toleration of religion; not to have the least intercourse with the rest of their fellow-subjects. The effect of it was, that they were kept in ignorance, in extreme poverty, and, in proportion, their minds were exasperated against their oppressors. During the period of his present Majesty's reign, a better system of policy and amelioration had been adopted."

He afterwards said—"The objections which prevailed to their emancipation, before the Union, were now completely done away; for, whatever might have been given to the proportion of the Catholics, over the Protestants of Ireland, must now be given to the proportion of the Protestants of the United Kingdom. Nothing could be more unfair," he added, "than to impute to a set of people opinions and principles which they themselves disclaimed. The uniform good conduct and loyalty of the Catholics of Ireland were upon Parliamentary record. In the period of the two separate rebellions in this country, the Irish Catholics demonstrated the utmost loyalty. When the fleets of the enemy were triumphant in the channel, and threatened the invasion of the kingdom, they took up arms for the defence of their country. There can be nothing more unjustifiable than to attribute the late rebellion in Ireland to the Catholic body: the principal leaders in it were Protestants. As to the exploded objection, that a Catholic was not to be believed upon his oath, because the Pope could dispense with it, it was unworthy of attention; because, if so, they need not hesitate to take an oath, to enable them to subvert the government of the country, and make the Pope Lord-paramount. There never was, however, a period when the power of the Pope was less, and the respect paid to him more dimi-

nished. The only effect to be apprehended from granting the prayer of the petition, would be that of bringing three or four Peers into that House, and a few members into the House of Commons; and surely nothing could be more absurd, than to suppose such few persons could, even if they wished it, persuade the Parliament to destroy the hierarchy, and overturn the constitution. Fears for the hierarchy were entertained at the time of the union with Scotland; but could any one point out an instance in which, however adverse the Church of Scotland was to Bishops, that any Scotch peer, or commoner, ever dreamt of substituting their own religion for the Episcopacy of the English Church? He then dwelt on the impolicy of preventing Catholics of great genius, talent, and industry, from arriving at those high stations, which would enable them to be of the greatest service to their country." He concluded by moving, "That the House do now resolve itself into a Committee, to take the said Petition into consideration."

Lord Hawkesbury observed, "that at any time, or under any circumstances, he must oppose a motion which might lead to such alarming consequences as the abrogation of all the tests at present subsisting in the empire. Experience had shown the desolation it had occasioned by a republic of Atheists, established in the heart of

Europe. While every religion deserved to be protected, the possession of political power should only be extended with that degree of jealousy and circumspection, that would guard against the abuse of it, and prevent it from being made the instrument to destroy the Government, for whose support it was created. One of the fundamental principles of the British Government, as established by the Bill of Rights and Act of Settlement, was, that the King must be a Protestant, and hold communion with the Church of England: and the same limitation should, in his opinion, apply to the immediate advisers and officers of the Crown. Our ancestors thought it expedient to change the succession, sooner than have a King of a religion hostile to that of the state; and was it rational that the same principles should not apply to Ministers, Chancellors, and Judges of the day? To open the door in this instance, would be to let in all the Dissenters in the kingdom, and who would consent to entrust the patronage of the Church to persons considering her establishment as heretical? Upon the whole, he concluded, that as long as the Catholics refused to take the Oath of Supremacy, they should be deprived of political power; and there never was a moment when it was more necessary than now, when all Catholic Europe was nearly subjected to France, and the Pope placed in a

state of absolute dependance on that country. The ruin of the Church and the Monarchy, in our own country, accompanied each other, and as his principle was to uphold the establishment of both, he must resist the motion."

The Bishop of Durham made, on this occasion, the most impressive speech delivered from the bench. He said, that " in attentively considering this petition, he had endeavoured to discover what extension of personal toleration was asked, that would be consistent with our civil and religious establishment. Not what the Catholics *would have given* to us; but what we, with safety, could give to them:—not what we might with justice refuse; but what could, in kindness, be granted, as the offering of affection and good will. He wished to improve and ameliorate the condition of the mass of the people of Ireland; but, in the object of this petition, he saw nothing but what was calculated to give power, privileges, and influence to a very few opulent individuals amongst them. In adverting to the superior numbers of Papists in Ireland; to the peculiar powers which the clergy exercised over them; to the general connexion of their clergy with a foreign power; and to the degraded and servile dependance of the head of their church, upon a state so very hostile to this country; he did not think that the prayer of the petition could be granted

with safety to our civil and religious establishments."

The petition was ultimately rejected in the Lords, by a majority of 129: only 49 having voted for it, and 178 against it: in the Commons 336 were against its reception, and 124 for it.*

* Mr. Fox, it appears, acted in the presenting of the Petition of the Catholics at this time, contrary to the wishes of the Prince of Wales. There is a letter on this subject so creditable to him, preserved in Mr. Moore's Life of Sheridan, that we shall take the liberty of transcribing it. "A few days before the debate," says the eloquent biographer of Mr. S. "as appears by the following remarkable letter, Mr. Sheridan was made the medium of a communication from Carlton House, the object of which was to prevent Mr. Fox from presenting the Petition:—

"Dear Sheridan,

"I did not receive your letter till last night.

"I did on Thursday consent to be the presenter of the Catholic Petition, at the request of the Delegates, and had farther conversation with them at Lord Grenville's yesterday morning. Lord Grenville also consented to present the Petition to the House of Lords. Now, therefore, any discussion on *this* part of the subject would be too late; but I will fairly own, that, if it were not, I could not be dissuaded from doing the public act, which, of all others, it will give me the greatest satisfaction and pride to perform. No past event in my political life ever did, and no future one ever can, give me such pleasure.

"I am sure you know how painful it would be to me to disobey any command of his Royal Highness's, or even to act in any manner that might be in the slightest degree contrary

Lord Hawkesbury, on the 19th day of June, delivered to the House a message from his Majesty, to the effect, "That the communications which have taken place, and are still depending, between his Majesty and some of the powers of the Continent, have not yet been brought to such a point, as to enable his Majesty to lay the result of them before the House, or to enter into any farther explanation with the French Government, consistently with the sentiments expressed by his Majesty at the opening of the present session,—but, his Majesty conceives that it may be of essential importance, that he should have it in his

to his wishes, and, therefore, I am not sorry that your intimation came too late. I shall endeavour to see the Prince to-day; but if I should fail, pray take care that he knows how things stand before we meet at dinner, lest any conversation there should appear to come upon him by surprise.

"Yours ever,

Arlington Street, Sunday. "C. J. F."

"It would be rash," adds Mr. Moore, "without some farther insight into the circumstances of this singular interference, to enter into any speculations with respect to its nature or motives, or to pronounce how far Mr. Sheridan was justified in being the instrument of it. But on the share of Mr. Fox, in the transaction, such suspension of opinion is unnecessary. We have here his simple and honest words before us,—and they breathe a spirit of sincerity from which even Princes might take a lesson with advantage."

power to avail himself of any favourable conjuncture for giving effect to such a concert with other powers, as may afford the best means of resisting the inordinate ambition of France, or may be most likely to lead to a termination of the present contest, on grounds consistent with permanent safety, the interest of his Majesty's dominions, and the security and independence of Europe. His Majesty, therefore, recommends it to the House of Lords, to consider of making provision for enabling his Majesty to take such measures, and enter into such engagements as the exigency of affairs may require."

This was followed on the 20th by a proposition for £5,000,000, to be placed at the disposal of his Majesty: on which Lord Carysfort observed that "the state of the negotiations in question ought to be more freely communicated to the House, and moved an amendment to that effect; which Lord Mulgrave and Lord Hawkesbury resisted. To communicate negotiations, while pending, would, they said, be to frustrate their objects; they only called upon the House for a degree of confidence, usually, and indeed, by necessity, placed in Ministers.

These negotiations, were, in fact, the final diplomatic measures of Mr. Pitt; the issue of them being that coalition with Russia, Austria, and Sweden, which was so fatally terminated

by the battle of Austerlitz, on the 2d of December; and the peace of Presburgh, signed on the 26th of that month. The only relief to the gloomy scene of our foreign politics at this period, was the memorable battle of Trafalgar.

Mr. Pitt retired to Bath in the autumn of 1805, his health being in a state of rapid decline. With difficulty he returned to his house at Putney on the 11th of January; and could take no part in the opening of Parliament on the 21st.

Lord Hawkesbury was one of the Commissioners on this occasion. The language of the speech, as he afterwards stated in the House of Lords, was designed to ensure, if possible, unanimity in the addresses; and this object of Ministers was so far acceded to by Opposition, that though an amendment was prepared and read in both Houses, it was not moved in either House; on the ground of the absence of Mr. Pitt. Few even of the intimate friends of that great statesman, however, apprehended his death to be so near; in the House of Commons, on the evening of the 21st, it was stated by some of them, that he was not considered in danger, but was slowly recovering.

The subject of our Memoir had an interview with him on public business, on Monday evening, the 13th: he went out in his carriage for the last time, the next day. On the morning of Thurs-

day the 23d, about a quarter past four, he quitted this turbulent and vain world. Mr. Gifford has observed that it was the anniversary of that day on which five-and-twenty years before he had first become a member of the British Senate.

Mr. Pitt's eulogium will not be expected from the feeble pen of the writer of this volume. That his, however, was the real inheritance of Lord Chatham's comprehensive and ardent mind, genuine patriotism, and splendid oratory, has seldom been denied; or that he added to these qualities, those of an able and enlightened financier, and of a ready and well-trained man of public business: but his claims to the character of an "excellent statesman," it is well known, divided the House of Commons, immediately on his decease. Mr. Windham, at that period, even doubted "from whatever cause it had proceeded, whether his life had been beneficial to his country."

This is less surprising than that public writers, at the present day, should attempt to detract from his fair fame by the alleged ill success of his plans.* Mr. Pitt, on the scale upon which he

* "When we are told to regard his policy as the salvation of the country," says Mr. Moore, (Life of Sheridan,)—"when (to use a figure of Mr. Dundas) a *claim of salvage* is made for him,—it may be allowed us to consider a little the nature of the measures, by which this alleged salvation

acted, and ought therefore to be viewed, as a statesman, was eminently successful. If he entered upon a great war, without anticipating all the wretched financial shifts and desperate re-

was achieved. If entering into a great war without either consistency of plan, or preparation of means, and with a total ignorance of the financial resources of the enemy—if allowing one part of the Cabinet to flatter the French Royalists, with the hope of seeing the Bourbons restored to undiminished power, while the other part acted, whenever an opportunity offered, upon the plan of dismembering France for the aggrandizement of Austria, and thus at once, alienated Prussia at the very moment of subsidizing him, and lost the confidence of all the Royalist party in France, except the few who were ruined by English assistance at Quiberon—if going to war in 1793 for the right of the Dutch to a river, and so managing it that in 1794 the Dutch lost their whole Seven Provinces—if lavishing more money upon failures than the successes of a century had cost, and supporting this profusion by schemes of finance, either hollow and delusive, like the Sinking Fund, or desperately regardless of the future, like the paper issues—if driving Ireland into rebellion by the perfidious recall of Lord Fitzwilliam, and reducing England to two of the most fearful trials, that a nation, depending upon Credit and a Navy, could encounter, the stoppage of her Bank and a mutiny in her fleet—if, finally, floundering on from effort to effort against France, and then dying upon the ruins of the last Coalition he could muster against her—if all this betokens a wise and able minister, then is Mr. Pitt most amply entitled to that name;—then are the lessons of wisdom to be read, like Hebrew, backward, and waste and rashness and systematic failure to be held the only true means of saving a country."

sources of the enemy, he never despaired of his country's resources: he steadily maintained the public faith; and made it available to our preservation to an extent that no one beside anticipated. If he long looked with hope to the restoration of the Bourbons, it has been at last found, it must be remembered, that this very measure has, in point of fact, tranquillized France and Europe for twelve years. Did he awaken the jealousies of Russia, Austria, and Prussia, against the aggrandizement of France: and subsidize armies whose force he could not otherwise have brought to bear on the enemy? Russia, Austria, and Prussia, it will not be soon forgotten, humbled that enemy at last; and Buonaparte, in truth, not Mr. Pitt, fell under the "*last*" coalition.

As to the war of 1793, we have made it appear in a preceding part of this volume, and Bishop Tomline still more fully, that the British Minister was driven into it by the French Government—themselves urged on, and happily deceived, by the anticipation of important aid from the English republicans.

The other reflections of Mr. Moore on the character of this unequalled statesman are frivolous —non-success is evidently his great condemnation: but he speaks of only half his life. Mr. Pitt lived in his plans and efforts to the end of

the wars of the French Revolution; those who have the strongest temptation to dispute this, i. e. his successful disciples, have ever acknowledged it: and those wars terminated in the encreased security and glory of England.

CHAPTER VI.

State of Parties.—Offer of the Premiership to Lord Hawkesbury.—He declines it.—Mr. Fox and his Friends come into power.—New Military Arrangements.—Mr. Windham's Limited Service Bill.—Abolition of the Slave Trade.—Lord Melville's Trial.—Negotiations with France.—Meeting of Parliament in December.—Lord Hawkesbury's Speech on the Address.—On the Negotiations.—Mr. Whitbread's Education Bill.—Bill for introducing Catholics into the Army and Navy.—Division in the Cabinet respecting it.—Sentiments of the King.—Ministers dismissed in consequence.—Duke of Portland, Premier.—Lord Hawkesbury, Home Secretary.—Explanations given in Parliament.—Lord Hawkesbury moves thanks to Sir S. Auchmuty.—Parliament dissolved.—New Parliament.—Lord Hawkesbury defends the late dissolution.—State of Europe.—Attack on Copenhagen.—Portugal.—The Prince Regent leaves Lisbon for Brazil.—Berlin Decree of Buonaparte.—British Orders in Council.—The late measures debated in Parliament.—Duke of Norfolk's motion.—Insurrection in Spain.—The Patriots apply for assistance to England.—All Parties agree respecting affording it them.—New offers to negotiate from France.—Sir John Moore's advance into Spain.—Battle of Corunna.—Lord Hawkesbury becomes Earl of Liverpool.

THE Whig writers incorrectly describe the administration of the government as falling natu-

rally, and "without parley,"* into the hands of their friends on the death of Mr. Pitt. His late Majesty, in the first instance, honoured the subject of this memoir with his confidence and commands, with respect to the formation of a new ministry; at the head of which, it was proposed he should himself be placed. But Lord Hawkesbury, with that sound good sense, which always distinguished him, and after a few days' deliberation, declined the flattering offer. He well knew the state and relative strength of the public parties. Those with whom alone he could concur in the conduct of the war, and in their unquestionable attachment to the institutions of the country in Church and State—the party of Lord Grenville—had entirely differed with him in all the chief public measures of late; and treated him, we must add, with a degree of undeserved contumely; moreover, under much more powerful auspices, they could not be induced to accept office without stipulating for the introduction of Mr. Fox. And with the party of this last distinguished leader, as such, Lord Liverpool could never bring himself to act. It was then impossible for him to find coadjutors in the ranks of those, who, by the late national loss, had become the leading parties.

* Mr. Moore's description of the event.—*Life of Sheridan*, vol. ii. p. 385.

As an Opposition, he had seen how powerfully they could concur; and how fearfully, in the existing situation of the country, those who widely differed on every fundamental principle of politics, could thwart the measures of Government in their details. This was the hour of the country's darkness. The war had been hitherto (at least on the continent of Europe) disastrous; peace, when Mr. Fox spoke, as his quaker-like eulogy has been given by Mr. Rogers,

"——— was ever on his tongue."

And it was imagined in many quarters, that this their favourite stateman could win even Buonaparte to moderate councils. It was supposed also, now the immediate dangers of the French Revolution were gone by, that these parties would practically coalesce in the internal government of the country. There was one great topic here involved, (the treatment of the Catholics,) on which they were known to be agreed; and the extent of the King's honesty, (if it involved honest prejudices, as many allege,) on that subject, was as yet unknown.

In these circumstances, retaining the undiminished confidence of his Royal Master, Lord Hawkesbury declined the Premiership; he also retained a decided proof of the King's attachment

in the Wardenship of the Cinque Ports, to which he was appointed on the death of Mr. Pitt.

Mr. Fox is said to have declined the Treasury and to have chosen the Foreign Secretaryship, as a situation in which he could more effectually promote his great object, a peace. Lord Grenville therefore became First Lord of the Treasury; Mr. (now created Baron) Erskine, Lord High Chancellor; Earl Fitzwilliam, President of the Council; Lord Sidmouth, Privy Seal; Lord Howick, First Lord of the Admiralty; Earl Moira, Master-General of the Ordnance; Earl Spencer and Mr. Windham, Secretaries for the Home and War Departments; Lord Henry Petty, Chancellor of the Exchequer; and Lord Ellenborough, Lord Chief Justice, with a seat in the Cabinet.

The introduction of Lord Sidmouth, and by consequence the Lord Chief Justice into the Cabinet, (the former stipulating for the introduction of a friend with himself,) is said to have been accomplished by Mr. Sheridan at the express desire of the Prince of Wales. Mr. Sheridan himself only obtained the Treasuryship of the Navy. His biographer justly stigmatizes the measure of bringing Lord Ellenborough into the Cabinet, "notwithstanding the great learning and ability with which it was defended," as "very questionable."

As with their predecessors, it was an object of

the first anxiety with the new Ministers, to organize the defence of the country upon a theory they could approve. This was a topic upon which, in the midst of great difference of opinion, Mr. Secretary Windham had very confidently expressed himself. He had particularly reprobated Mr. Pitt's Additional Term Bill, and the Volunteer System. Mr. Windham, however, though he received the seals of his department on the 24th of February, and described the measures of the late Ministers as bringing the military system "to death's door," prescribed for the patient very leisurely.

His new military arrangements were not proposed until the 3rd of April, when he attributed our modern failure in recruiting to the little comparative attention paid to the condition of the common soldiery. He wished to render the military profession an object of general desire among the people; to effect which the great change which he proposed to introduce in the army was in the terms of its engagement. Instead of an engagement to serve for life, he proposed that "the soldiers in future should be enlisted to serve for a term of years. Such was the system of service," he said, "in all the States of Europe, except in England, and in part even of our army the same system was established."

He proposed, therefore, that " the term of military service should be divided into three periods, of seven years each for the infantry; and for the cavalry and artillery the first period to be of ten years, the second of six years, and the third of five years. At the end of every period the soldier should have a right to claim his discharge. If he left the army at the end of the first period, he should be entitled to exercise his trade or calling in any town of Great Britain or Ireland; if at the end of the second period, he should be entitled besides, to a pension for life; and at the end of the third period, after a service of twenty-one years, he should be discharged from the army, with the full allowance of Chelsea, which by judicious regulations might be raised to a shilling a day. If he were wounded or disabled in the service, he should receive the same pension as if he had served out the full term. During the second period he should also receive sixpence a week of additional pay, and during the third period a shilling a week. Desertion might be punished by the loss of so many years service, and, though corporal punishments could not be banished entirely from the army, they might be diminished both in number and in severity.",

Such was the basis of Mr. Windham's celebrated Limited Service Bill.

Lord Castlereagh objected to it, as an impolitic innovation in the midst of war; and as unnecessary on a fair review of the existing system. In proof of this, and to show how much the army had been increased in its numbers during the late Administration, he stated, 1st, that the gross strength of the army at home and abroad, including the militia and artillery, in effective rank and file, was,

1st January, 1804, ...	234,005
1st March, 1806, ...	267,554
Increase	33,549

2dly, That the regular army, including artillery, as distinguished from the militia, was

1st January, 1804, ...	148,486
1st March, 1806, ...	192,372
Increase	43,886

3dly, The regular army disposable for general service, was

1st January, 1804, ...	115,947
1st March, 1806, ...	165,790
Increase	49,843

He admitted, that the annual loss of the army, independent of extraordinary occurrences, amount-

ed to 15,000 men; and that the annual supply, by the ordinary means of recruiting, did not exceed 11,000, or at most 14,000 men. He admitted also, that an addition of 43,000 men was still wanting to raise the army to its full establishment. But he contended, that the annual supply which might be expected from the Irish militia, and the operation of the bill now proposed to be repealed, were fully adequate to meet these deficiencies.

It was on this occasion that the last speaker, in a warm eulogium on the present greatness of the country, said, "he would not hesitate to assert, that on the essential points of the finances, the navy and the army, compared with the difficulties and embarrassments under which they represent themselves to have undertaken the Government, the present Administration may be considered as on a *bed of roses.*"

This bill did not pass the House of Commons without the most active opposition in every stage of its progress.

In the House of Lords, the new system underwent, on this occasion, little discussion; but on the principle of limited service being introduced into the Mutiny Bill, it was strongly resisted. On the first reading, Lord Hawkesbury made a motion (June 10) for the production of the military opinions relating to the army, which had

been submitted to the Commander-in-chief, on the subject of limited service. This was negatived without a division, on the ground that the opinions called for were not official documents, but private and confidential communications; and to the argument that the House was in want of military information on the question at present before it, it was answered, that it would be an unprecedented thing for the House to require argumentative opinions of those who were not its members, in order to influence its determinations.

We must now briefly advert to the most creditable measure of this Administration—the Abolition of the Slave-trade.

In the first session after the formation of the Cabinet, the Attorney-General, with its full concurrence, brought in a Bill, which quickly passed both Houses, (46 Geo. III. cap. 52,) prohibiting the exportation of slaves from the British colonies, after the 1st of January 1807, and forbidding all subjects of this country residing either at home or in our foreign settlements, from being in any way concerned in, or accessary to, the supply of foreign countries with slaves after that period.

The ship and cargo of any British trader engaged in the prohibited trade, either from our colonies, or from Africa, or from other places, to foreign settlements, were declared to be forfeited, and a farther penalty of 50*l.* ordered to be levied

for each slave. A similar forfeiture was enacted with regard to any vessel employed in supplying foreign vessels with slaves on the coast of Africa; and a penalty of 100*l.* was ordered to be levied from any British subject engaged in furnishing or indirectly forwarding such a supply. Investment of stock—loan of money—loan of vessels—becoming collector or security to such loans, &c. were all declared unlawful, and liable to a forfeiture of double the sums advanced; and all bonds or other securities given for such unlawful loans, were declared to be null and void, except in the hands of *bonâ fide* purchasers. Moreover, all insurances on such prohibited securities were declared void, and subjected to a penalty of 500*l.*

Soon after, Ministers brought another Bill into Parliament, which passed without opposition, for the purpose of preventing the increase of the British Slave-trade in all its branches. The object of this (46 Geo. III., cap. 119,) was to prohibit any vessel, under severe penalties, from being engaged in the African Slave-trade, which had not been actually employed in that traffic before the 1st of August 1806, or contracted for to be employed in it before the 10th of June in that year, and unless the same could be proved before Commissioners to be appointed by the Treasury for that purpose. This Act was limited in its duration to the term of two years after the conclusion of the

Parliament then sitting; but fortunately, long before the expiration of that period, every provision for the limitation or regulation of this iniquitous traffic was rendered unnecessary by the total, and, we trust, final abolition of the British Slave-trade on the coast of Africa.

The next measure was the resolution moved by Mr. Fox in the House of Commons, with which that great statesman closed his career in that House. The words of the resolution were, "That this House conceiving the African Slave-trade to be contrary to the principles of justice, humanity, and sound policy, will, with all practicable expedition, proceed to take effectual measures for abolishing the said trade, in such manner, and at such period, as may be deemed advisable." This was opposed by Mr. Rose, Lord Castlereagh, the two members for Liverpool, and some other persons, but on a division taking place, it was carried by a majority of 114 to 15. The resolution was then sent up to the Lords, and agreed to after a conference.

On the 29th of January, the Chancellor of the Exchequer stated his plan of finance, which was so framed as to make provision for a series of years to come, on the probable supposition of a continuance of the war: the loan for the present year was stated at twelve millions.

When in the new Parliament, called during this

year, Lord Grenville finally brought in a Bill for abolishing the Slave-trade, the chief debate took place in the House of Lords, on the second reading. The measure was ably supported by the Minister.

On this occasion, the Duke of Clarence adhered to his conviction formerly expressed, that there was not the least foundation for the charge which had been brought against the planters for ill treatment of their slaves; and warned their Lordships of the awful consequences of a measure which might deprive the West India islands of the only mode by which they could acquire labourers. On the other hand, the Duke of Gloucester, with true English feeling, declared, that he could not find words strong enough to express his abhorrence of that abominable traffic in human blood. He affirmed, that no question could come more closely home to our own bosoms, than that which concerned the happiness of myriads of our fellow-creatures. The resolution on their Lordships' table branded the Slave-trade as contrary to humanity, justice, and policy; and the time was now come to act upon that resolution.

The principal advocates for the Bill at this time, were Lords King, Moira, Holland, and Selkirk, and the Bishop of Durham: the opponents of the measure were Lords Westmoreland, Sidmouth, Eldon, and Hawkesbury.

On the division the numbers were, in favour of the Bill 100 peers, against it 36.

On its transmission to the Commons, it was eloquently defended by Lord Howick, who was seconded by Mr. Roscoe, the member for Liverpool, the Lords Mahon, Milton, Percy, and others, but especially by Mr. Wilberforce, who, unwearied in well-doing, now saw the fruit of his labours. The Bill was feebly opposed in the Lower House; and, on dividing, the numbers were, 283 for the abolition, against it 166.

Throughout the trial of Lord Melville, the subject of this memoir was found at his post in the House of Lords, and amongst the most able advocates of a friend whom he considered as having been harshly treated. The House of Commons had already pronounced Lord Melville guilty of gross misconduct in that office, in the administration of which the House of Lords acquitted him of every charge.

On the 28th of April, Lord Hawkesbury supported the motion of Lord Auckland, forbidding the publication of the proceedings until they were complete: at the same time he suggested the propriety of introducing some words by which the order should be limited to a prohibition during the *continuance* of the trial only.

Lord Melville, it is clear, largely used the funds of the public for private purposes: if they came

immediately into his hands through Mr. Trotter, that person was his own paymaster, and his Lordship must have known the advances to be derived from the public funds. On his retirement from the office of Treasurer of the Navy, he was under the necessity of raising 50,000*l.* to make good the deficiency in his accounts with Government at the Bank. The House of Commons therefore might with perfect justice have urged the dismissal of such a servant of the crown. Lord Eldon, the most acute of his advocates, admitted him to have been guilty of "culpable negligence in the discharge of his duty," and "criminal indulgences" to Trotter. But it was contended by his Lordship's friends that nothing like "corrupt" motives were proved: the judges pronounced that he had not violated the law; and much of party spirit, it is clear, was mixed with the business of his impeachment. The Commons, in fact, were urged by the managers to attempt to prove too much; and strangely jumbled facts and arguments in their articles; so that many peers, who considered Lord Melville guilty of parts of the charges, could not pronounce him so on the whole of many of them. Lord Hawkesbury's name is found in the considerable majority of noble Lords who voted him "not guilty upon all the charges."

Mr. Fox, with great and sincere eagerness,

availed himself of the first opening for negotiation with France; and the summer of this year was occupied with the fruitless attempts of Lords Yarmouth and Lauderdale to conduct them to maturity. The Foreign Secretary must have been finally convinced of the insincerity of his quondam acquaintance and flatterer, Buonaparte: but he died while the British diplomatists were at Paris.

At the recommendation of Lord Grenville, his Majesty was now pleased to appoint Lord Howick to the Foreign Department, Lord Sidmouth to the Presidency of the Council, and Lord Holland, the only new member who was brought into the administration, to be Lord Privy Seal.

The new Parliament met on the 15th of December. On this occasion, after the usual address was moved and seconded in the House of Lords, Lord Hawkesbury freely investigated some of the late measures of the Ministry. He said "While he could sincerely disclaim party motives, and while he heartily concurred in every general sentiment expressed in the address, he could not let it pass without offering some general remarks on the speech which occasioned it. The first point on which he should observe was one not openly mentioned in the King's speech, but only alluded to, viz. the dissolution of Parliament. He admitted the King's power to dissolve Parliament

in its fullest extent and plenitude. But this, like every other part of the prerogative, should be exercised with a sound and wholesome discretion. What was there in the state of the country to have justified the late unexpected and premature dissolution of Parliament—of a Parliament which had sat only four sessions, and had nearly three to run? From the passing of the Septennial Act in 1715, there was no instance of a Parliament being dissolved under six sessions, except in the precedent of 1784, which was unavoidable. At that time a misunderstanding subsisted between the Crown and the House of Commons with respect to the Government. The opponents of his Majesty's Ministers were supposed to be more earnest than the Government for the prosecution of the war. If the rupture of the negotiation overwhelmed Ministers with any apprehension of difficulty, the fair mode would have been not to dissolve Parliament, but to have submitted to the existing Parliament the whole grounds of the negotiation. Mr. Windham, who was the last person in the world he should suppose capable of deceit, in an address which was published, told the county of Norfolk, that, as far as he knew, there was no intention of dissolving Parliament; and a proclamation appeared, in which a day was appointed for the meeting of Parliament for the despatch of business; and yet, notwithstanding these repeated

assurances, a dissolution was announced, to the surprise and astonishment of the whole Kingdom. He would not accuse the Ministers of any intention to deceive the country, but the dissolution had certainly the effect of surprising it."

With respect to the disasters of Prussia, Lord Hawkesbury agreed with the noble mover and seconder of the address, that they had arisen wholly from the narrow policy within which she had encircled herself. Had his Prussian Majesty, or those who advised him, consulted history, they would have discovered that they who lent their aid to have others devoured, would be at last devoured themselves. He approved of the proceedings adopted towards Prussia, in consequence of her unjust aggression on Hanover, and the measures to which she submitted against this country. He approved also of the manner in which we suspended our particular quarrel, when she was on the point of being involved in a contest with France, although he could not account for the delay which took place in communicating with her. It was not until the beginning of October, when hostilities were on the eve of commencing, that Ministers had endeavoured to open a communication with Prussia. But by this time events had occurred which prevented the noble Lord, Morpeth, from fulfilling his important mission. They had afterwards sent out a military

mission, at the head of which was a noble Lord, Hutchinson, a member of that House. But this was not till three weeks after, at a time when it was uncertain whether this expensive military mission would be able to discover the Prussian head-quarters, or even a port to land in."

On the 2d of January, 1807, the late negotiations being laid before the House by Lord Grenville, and an address moved upon them, Lord Hawkesbury professed his complete concurrence with the noble Lord on the great points he had stated, but at the same time said "that if he did agree to the address, it must be with some qualifications. 'It had been stated in his Majesty's declaration, that the French, from the outset of the negotiation, had agreed to proceed on the basis of actual possession, subject to the interchange of such equivalents as might be for the advantage and honour of the two countries. Now he confessed, that after a careful examination of the papers before them, he found nothing in the whole of them that could be considered as a certain and unequivocal foundation for such an assertion. Before the arrival of Lord Yarmouth in London, the basis of actual possession was so far from being actually agreed on, that another and very different one was expressly stated to be the grounds on which the French Government would enter on a negotiation. Lord Yarmouth

had indeed given a statement in writing, of a conversation he had had with Talleyrand; and he no doubt believed that Talleyrand had proposed the basis of actual possession. The words were, '*Vous l'avez, nous ne vous la demandons pas.*' But in order to affix the proper meaning to these words, they ought to look at the context, and this shows that these words are not general, but that they refer only to Sicily. Ministry ought to have demanded a precise and categorical recognition of the basis of negotiation, before they gave full powers to treat to their negotiator. Yet Lord Hawkesbury most heartily concurred in the general result of the negotiation; and with the above exception, joined in the address, and in the assurances of supporting his Majesty in prosecuting the war, which it had been found impossible immediately to put an end to, on grounds in any degree consistent with the security and honour of this country, or the maintenance of good faith to our allies."

His Lordship proceeded to show both that the war was necessary, and that we possessed the means of supporting it. At the commencement of the treaty with France in 1801, that country was in a very different situation to what it is in now. At that time Holland and Switzerland, though subject to the influence of France, were not united to it. Naples was entire, and Aus-

tria, though she had lost much of her military reputation, was still a great power, and in point of population and extent of territory, equal to what she had been at the commencement of the war with France. Many therefore thought, and Lord Hawkesbury confessed he had joined in the opinion, that if France were left to herself, her power would sink to her natural level. Now, however, all the States to which he had alluded, had been either completely subdued by France, or reduced within comparatively narrow limits.

"In 1801, the British Government wished to try the feelings of France, and to find out what would be the policy of its Government on the restoration of peace. It might endeavour to acquire confidence at home and abroad, which could be done only by a system of moderation, or it might imagine that its security consisted in pursuing that system of aggression, which had marked the progress of the Revolution from whence it had sprung. It had adopted the latter system, so that scarcely three months had elapsed from the time of signing the treaty of Amiens, till the spirit of the treaty was violated by repeated aggressions. Ever since that time these aggressions had been continued; as an instance of which their Lordships had only to look at the Confederation of the Rhine, to which Lord Grenville had adverted. In considering the

question of peace or war, they would observe that while they continued at war, they had at least this advantage, that, whatever exertions France might make, they must be confined to the Continent of Europe. But peace would open to her the way to Asia, Africa, and America. To these at least he hoped her power could not extend.

"Another thing to be considered was, that while we were at war, we were on perfect equality with our enemies. We were as powerful by sea as they were by land. But if peace should take place, from the very nature of the two cases, their power would not be made less, while our superiority would be gradually diminished; for peace would furnish them with the means of advancing in that particular sort of power in which our superiority was undisputed. These were not arguments for eternal war, but they were circumstances which ought to have great weight with their Lordships, in considering what we gain by peace, as a proper compensation for what we lose. It was with great pleasure and pride that Lord Hawkesbury referred to the flourishing state of the country, which was to be ascribed to two great measures, the Sinking Fund (which Lord Hawkesbury considered as "unquestionably the greatest measure ever produced by the ingenuity or wisdom of man!") brought forward and matured by his right honourable friend the

late Mr. Pitt: the other, that of raising a considerable part of the supplies within the year, also first brought forward by his right honourable deceased friend, and which had been acted upon, and in some degree improved by Lord Sidmouth. The permanent taxes were not less than eighteen millions. But the Sinking Fund at this time produced eight millions and a half. And if we had but perseverance to go on for a few years, with strict regard to economy in our general system of expenditure, we should arrive at the happy period when the Sinking Fund would equal all the loans that might be necessary for the expenses of the community."

In justice to the memory of this Administration, and more particularly to that of another great contemporary of Lord Liverpool, Mr. Whitbread, we may here notice the introduction of the Education Bill of that gentleman into the House of Commons this session. Mr. Whitbread, on this occasion, justly reprobated the system of our Poor Laws, and contrasted the moral state of the Scottish poor, universally educated, with that of the poor of our own country, and of Ireland. He proposed the establishment of parochial schools; not compulsory on the poor, which, he said, would destroy his object, but voluntary; and he was confident that it would soon so work its way, that every man in England and Wales,

as in Scotland, would feel it a disgrace not to have his children instructed.

His eloquent and prophetic peroration will not soon be forgotten. "During the hours of anxious thought and laborious investigation which I have passed," said he, "I have been charmed with the pleasing vision of the general amelioration of the state of society, and the eventual and rapid diminution of its burthens. In the adoption of a general system of education, I foresee an enlightened peasantry, frugal, industrious, sober, orderly, and contented, because they are acquainted with the true value of frugality, sobriety, industry, and order; crimes diminishing, because the enlightened understanding abhors a crime; the practice of Christianity prevailing, because the mass of our population can read, comprehend, and feel its Divine origin, and the beauty of the doctrines which it inculcates: the kingdom safe from the insults of the enemy, because every man knows the worth of that which he is called upon to defend. In the provision for the security of the savings of the poor, I see encouragement to frugality, security to property, and the large mass of the people connected with the State, and indissolubly bound to its preservation: in the enlarged power of acquiring settlements, the labour directed to those spots where labour is most wanted: man, happy in his increased independence,

and exempted from the dread of being driven in age from the spot where his dearest connexions exist, and where he has used the best exertions, and passed the best days of his life: litigation excluded from our courts, and harmony reigning in our different parochial districts. In the power of bestowing rewards, I contemplate patience and industry remunerated, and virtue held up to distinction and honour. In the various detailed alterations, in the mode of rating, and the equalization of the county rate, I perceive the more equitable distribution of a necessary, but henceforth, I trust, decreasing burthen; in the constitution of vestries, the benefit universally resulting from arrangement, order, and economy, derived from the more attentive inspection, by each, of the general concern: from the power to exempt cottagers from the rate, a great relief to individuals, at a very trifling expense to the public; in the power to build habitations for the poor, their comfort and health. Lastly, in the reform of the workhouse system, and the power of discrimination in administering relief, an abandonment of filth, slothfulness, and vice; and a desirable and marked distinction between the profligate and the innocent."

The Bill was read a second time in the Commons on the 23d of February, and ordered to be printed, and sent to the magistrates at the Quar-

ter Sessions. It finally passed that House, with various alterations, in August: but on Lord Holland's moving for it to be read a second time in the Lords, August 11, Lord Hawkesbury moved and carried, "That it be read a second time this day three months."

His objections to the measure were, that "it did not place the education of the people upon the footing of religious principle sufficiently, nor under the control of the clergy to that degree which their station in the State, as he conceived, demanded. There was, farther, no discrimination of rank or property in regard to the right of voting for the adoption of the schools proposed: the numerical majority of parishioners was to decide; which he thought might be in many cases highly objectionable."

Lord Eldon united with the subject of our memoir in reprobating these parts of the Bill: and the Archbishop of Canterbury stated that he had what, he should trust, would be found a less objectionable plan for the education of the poor in contemplation.

But now again the topic upon which the King felt it his misfortune to differ with Mr. Pitt, was to become the ground of the dismissal of Ministers of very different general sentiments.

It has been recently stated, that Mr. Fox had pledged himself to his Majesty never to harass

his mind on the subject of the Catholic claims; never, in fact, to make them a subject of Ministerial discussion. The pledge, according to this statement, was obtained from him by his present Majesty, then Prince of Wales.*

Whether his friends regarded this as a personal rather than a public engagement, we have no means of learning, but early in March 1807, Lord Howick introduced into the House of Commons a Bill "for securing to all his Majesty's subjects the privilege of serving in the army and navy." He observed, "that in consequence of an act passed in Ireland, in 1793, the Roman Catholics of that country were enabled to hold commissions in the army, and to attain any rank except that of Commander-in-chief of the forces, Master-general of the Ordnance, or General on the staff. They might rise to be generals, but they were not permitted to be generals on the staff. The effect of this permission, so granted to the Catholics in Ireland, was a most striking incongruity. For if a Catholic, who was by law qualified to serve in the army of Ireland, should be sent to this coun-

* This his Majesty stated to the Archbishop of Canterbury and the Bishop of London, "at the interview with which they were lately honoured;" says a respectable public writer. The Bishop of London being asked in the House of Lords respecting the truth of this, confirmed the statement.

try by any circumstance which required the services of his regiment here, he would be disqualified by law from remaining in the service."

This act therefore proposed an oath, on taking which the Catholics or Dissenters could rise to any rank in the army or navy.

Lord Grenville, in the House of Lords, afterwards stated that his Majesty, on the measure being proposed to him, at first expressly consented to it. "A draft of a dispatch to the Lord-lieutenant of Ireland, relative to the communications to be had with the Catholics, was submitted to his Majesty by his Ministers, and met with his approbation. They pointed out the difference between the law of 1793, and that which they meant to propose. After some objections, his Majesty gave his consent, that the measure should be proposed, and authority was given to the Lord-lieutenant to communicate, by his secretary, to the heads of the Catholics, that the army and navy would be opened to them. A meeting of the Catholics was assembled for the purpose of receiving this information; when Mr. Elliott, the Irish secretary, was asked by one of them, Mr. O'Connor, whether it was the intention of Government merely to pass the law that was promised in 1793, or whether it was intended to allow the Catholics to rise to *all military offices*, including the staff?—Mr. Elliott was not then

able to answer the question. But the Catholics understood by the dispatch, that they were not to be excluded from any situation in the army. A second dispatch was drawn up, removing Mr. Elliott's doubt, and authorizing him to give a decided answer to Mr. O'Connor's question in the affirmative. This second dispatch was laid before his Majesty, who returned it without any objection or comment; it was therefore immediately forwarded to Ireland. Doubts, however, as to the extent of the measure, had been entertained by some members of the cabinet, who, on being at last fully aware of the extent, objected to it in the strongest terms: and his Majesty, being apprised that the measure was of far greater extent than he had conceived it to be, expressed to Lord Grenville his decided objection to it."

To return to the proceedings of the House of Commons.

Mr. Perceval, on the first reading of Lord Howick's bill, warmly objected to it. "He considered it one of the most important and dangerous measures that had ever been submitted to the judgment of the legislature. But it was not so much to the individual measure proposed by the noble Lord that he objected," he said, "as to the system of which it formed a part, which was growing every day, and threatened to expand into the most alarming magnitude. To what did

the present measure tend? Its supporters could not, with any degree of consistency, stop short of abolishing all the tests which the wisdom of our ancestors had thought it necessary to interpose in defence of our religious establishment. From the arguments advanced at the present day, a man might be almost led to suppose, that the one religion was considered to be as good as the other, and that the Reformation was deemed to be only a measure of political conveniency. The present question was simply this, whether the legislature would give up the Protestant Ascendency in Ireland, or whether they would make a stand, and say, 'we have already done every thing that toleration requires, and that the Catholics have a right to demand.' Undoubtedly such a declaration would be the dictate of sound policy and discretion. In one of his statements, the noble Lord had palpably contradicted himself: for, in the first place, he endeavoured to make the House believe, that the army and navy were crowded with Catholics; and in the second, he recommended that they should be allured into the service by a free admission."

Lord Howick fixed the second reading of his Bill for that day se'nnight; then for the 18th, when he finally abandoned it.

The Minister, who particularly objected to the enlarged measure, was Lord Sidmouth, who in-

sisted that the King did not at first understand the entire bearings of it; and wished to resign, if it were permitted, that he might oppose it in Parliament.*

* Lord Sidmouth said, March 26, in the House of Lords, that "the Catholics, in 1793, had no idea of asking for that extension of power which the present bill would give to them:" a remark in which Lord Hawkesbury concurred. "They asked," continued the latter, "for certain concessions which the Irish Parliament granted to them. By the act of 1793, the Irish Legislature said to them, 'You shall have such and such political concessions, you shall have rank in the army to a certain extent, but beyond that you shall not go.' This clearly was the ground on which his Majesty meant to act towards them, and accordingly he acquiesced with some reluctance in adopting the act of 1793, for the purpose of making it general: nothing could be more clear from the course of the transaction than that this was the object. But after the introduction of the new clauses, when his Majesty understood the whole scope of the measure, he expressed his marked disapprobation of it. Their Lordships could not forget that there ought to be two parties to every contract. There were the reservations in the minute of Ministers on one side; but in what situation would his Majesty have been placed had he submitted to them? In reiterated discussions concerning this or any other measure the Ministers might have in contemplation for the Catholics, all the odium might fall on his Majesty, while the whole of the popularity among Catholics would fall to the share of those that should repeatedly propose and recommend it. Again his Majesty might be exposed to the re-introduction of the measure in question, at a time when it might be difficult for him to oppose it. He conceived that the placing of his Majesty in

Attempts were now, therefore, made to modify the measure; in fact it was reduced to what his Majesty seems always to have understood as having been intended; i. e. to make the law correspond with itself in England and Ireland, or simply to allow Irish Catholic officers to act in this country: and thus the King imagined it was to have passed. But suddenly a resolution was adopted in the Cabinet to withdraw the Bill: Lords Grenville and Howick wished, at the same time, to reserve in the minutes of the Cabinet a right, 1. To declare their opinions in favour of the Catholic question; 2. To renew this, or any measure connected with that subject, from time to time, as they might think proper;—and the King became alarmed as to their ulterior designs. He is said to have required a written pledge, that they would never more agitate any part of this subject in the cabinet.

On their refusal, the noble Lords in question were told that his Majesty would endeavour to seek other servants.

On the 19th of March, while the formation of

such a predicament was contrary to all precedent, and indeed subversive of the British monarchy. If there were not unity in the Government, it could not last long. The Sovereign, considering matters in this necessary point of view, had resolved to change his Ministers."

a new ministry was still pending, a resolution passed the House of Commons, on the motion of Mr. Bankes, "that no office ought hereafter to be granted in reversion." And as it was understood that the Chancellorship of the Duchy of Lancaster had been offered to Mr. Perceval for life, as an inducement to relinquish his professional pursuits, and take upon him the office of Chancellor of the Exchequer, an address was agreed upon on the 25th, by a majority of 228 to 115 voices, praying his Majesty "not to grant the said office, or any other not usually held for life, for any other term than during pleasure."

Mr. Perceval said, with spirit, on this occasion, that "he had not been to his Sovereign for the purpose of receiving his appointment to the Chancellorship of the Exchequer, and that of the Duchy of Lancaster for life, as some gentlemen supposed; but he had approached him with a request, that no appointment of him to any office might take place that day, that he might have an opportunity of addressing the House, and that his Majesty might not be fettered in consequence. He assured the House, that whatever might be its pleasure in addressing his Majesty, as to the propriety or impropriety of granting to him the Duchy of Lancaster, he should not be the less willing to obey the pleasure of the King as to any

appointment in his service which he might think necessary to the preservation of the constitution of the country."

The retiring Ministry ascribed no small portion of the King's personal conduct and firmness at this time to the influence of Lord Hawkesbury. Lord Howick, indeed, condescended to name his Lordship and Lord Eldon as the King's advisers on the occasion.*

Before the end of March a new Administration was formed, at the head of which appeared the respectable name of the Duke of Portland, now, for the second time, First Lord of the Treasury. Mr. Perceval became Chancellor of the Exchequer; Lord Eldon resumed the Great Seal; the Earl of Westmoreland, the Privy Seal; and Earl Camden was made President of the Council; Lord Mulgrave was appointed First Lord of the Admiralty; the Earl of Chatham, Master of the Ordnance; Lords Castlereagh, Hawkesbury, and Mr. Canning, were the Secretaries for the War, Home, and Foreign Departments; Mr. Robert

* Parliamentary Debates.

Sheridan said wittily on the subject of his friends thus leaving power, that "He had often heard of people knocking out their brains against a wall, but never before knew of any one building a wall expressly for the purpose."—*Moore's Life*, vol. ii. p. 349.

Dundas presided at the India Board; Mr. George Rose was made Treasurer of the Navy; Sir James Pulteney, Secretary at War; Sir Vicary Gibbs, and Sir Thomas Plumer, Attorney and Solicitor-Generals. The Duke of Richmond succeeded the Duke of Bedford in the government of Ireland.

It is a singular fact, with regard to the arrangement of business under this Administration, that the Duke of Portland never appeared in Parliament as a Minister: indeed we do not find him voting in the House of Peers during the whole period of his continuing in power; and he was little "spoken or thought of," as Dr. Southey observes, "by the public." "He deserves, however," as that able writer adds, "an honourable memorial in British history, for having accepted office at a time of peculiar and extreme difficulty, and enabling the King to form a ministry whose opinions were in unison with his own principles and feelings, and with the wishes and true interests of his people."

Parliament met by adjournment on the 8th of April: when Lord G. Thynne informed the House of Commons from the Bar, that "his Majesty had been waited on with the address of the 25th of March. With regard to the late office conferred on Mr. Perceval, his Majesty said that he had thought it fit to provide, that in a grant now to

be made of the office of Chancellor of the Duchy of Lancaster, the office shall be conferred only during his royal pleasure."

Next day in the Commons, and on the 13th in the House of Lords, a motion was brought forward by the Opposition, declaring it to be unconstitutional for the confidential servants of the Crown to restrain themselves by any pledge, express or implied, from offering to the King any advice that the course of circumstances might render necessary. This was warmly debated: "not as an abstract proposition," as Sir Samuel Romilly said, "but because it referred to a principle that had been recently acted upon." It was objected to, however, both as an abstract proposition, and as furnishing a convenient opportunity for the expression of assent to the late changes.

Its advocates contended that no such pledge could be given by truly responsible advisers. They asked if it was not rather "a high crime and misdemeanour, in any minister in the confidence of his Majesty, to subscribe to a pledge that he would not offer to his Majesty any advice that might appear to him to be essential to his interests?"

Lord Hawkesbury opposed the resolution moved to this effect in the House of Lords by the Marquis of Stafford.

The late Lord Chancellor (Erskine) gave an ela-

borate account of all the circumstances that led to the demand and the refusal of the particular pledge in question: and explained, in common with many speakers in both Houses, his sentiments with regard to the claims of the Catholics. He professed the strongest attachment to religion and the Protestant faith; and only wished his life "*could be* as pure as his faith."

On the same day, in a committee on the Loan Interest bill, the new Chancellor of the Exchequer, while he would not interrupt the plan of his predecessor with regard to the current year, begged to state that he should not consider himself pledged by that circumstance to follow up the plan in future. On the 23rd, Lord Hawkesbury repeated this statement on the behalf of Ministers in the House of Lords.

The only other topic upon which we find his Lordship speaking in Parliament this session, is the brilliant achievement of Sir Samuel Auchmuty at Monte Video. On the 16th of April, he moved the thanks of the House of Lords to that gallant commander, and reminded their Lordships of the value which British commanders placed, on the one hand, upon the thanks of the Houses of Parliament, and the importance, on the other, of keeping up every stimulus to British bravery in the existing condition of the world. Here was an instance of the same persevering and unconquer-

able courage overcoming all the serious obstacles to the taking of Monte Video by assault, in our land forces, as we were constantly exhibiting to the enemy in every part of the world in the other branch of the public service.

On the 27th of April, Parliament was prorogued by a speech delivered in his Majesty's name by the Lord Chancellor, and two other Commissioners, Lord Hawkesbury and Lord Camden. The speech expressed his Majesty's anxiety "to recur to the sense of his people, while the events which had recently taken place were yet fresh in their recollection;" and his hope "that the divisions naturally and unavoidably excited by the late unfortunate and *uncalled for* agitation of a question, so interesting to the feelings and opinions of his people, will speedily pass away." Parliament was accordingly dissolved by proclamation.

The new Parliament met on the 22nd of June, and the address in answer to the speech was carried in both Houses by large majorities: an amendment moved in the Lords by Lord Fortescue, warmly reprobated the late dissolution; but though supported by all the Whig leaders, it was negatived by 160 Non-contents to 67 Contents.

In support of the original address, Lord Hawkesbury said, that "while he objected to the dissolution of Parliament in 1806, he must con-

tend that the late dissolution stood on very different grounds. Paramount considerations, involving the preservation of the constitution of the country, led to it; and if ever the public opinion was clearly pronounced upon any question, it was upon the propriety of his Majesty's late proceedings." In illustration of the unaltered character of the Roman Catholic religion, he adverted to the fact of "a respectable gentleman of that persuasion in Ireland (Sir John Throckmorton) having circulated a publication, in which he contended for the equity which seemed to demand the filling up of the sees of that country with Protestant and Catholic bishops alternately. Surely under such circumstances it was time for the British Government to pause!"

The debates of this first session were not particularly interesting: more serious conflicts were destined, even at this last hour, to turn the tide of the enemy's success, and crown the energetic efforts of Ministers.

On the Continent of Europe, after the battle of Friedland, England was left without a single ally except Sweden. Denmark, at this period professed a neutrality, indeed; but it is to this hour questionable, whether she was the more unwilling or unable to maintain it. The treaty of Tilsit drew the Emperor of Russia completely into the toils of France; and Ministers received infor-

mation of secret stipulations connected with it, which directly involved the seizure of the Danish and Portuguese fleets. Under these circumstances, the new Administration felt the importance of anticipating the measures of the enemy.

Mr. Jackson, formerly our resident at Berlin, was instructed to repair to the residence of the Prince Royal of Denmark, and to call upon his Royal Highness for an unequivocal declaration of the intentions of that court, and for a pledge of the execution of those intentions, if they were not hostile to Great Britain. This pledge was the delivery of the Danish fleet into the possession of the British admiral, under the most solemn stipulation, that it should be restored at the conclusion of the war between this country and France. Should this be refused, and should the British negotiator have in vain exhausted every argument and effort to obtain the Prince Royal's consent to it, as the foundation of a treaty of alliance and general co-operation between the two countries, he was directed to announce, that it would be enforced by the British armament assembled in the Sound.

The issue is well known: the pledge was refused to be given; and Copenhagen was subjected, very unwillingly on the part of our commanders, to the horrors of a bombardment. On the 4th of September, the fleet, citadel, dock-

yards, and marine stores, were delivered to our forces.

Buonaparte was more prompt, however, with regard to Portugal. He detained the shipping of that country in the ports of France; and called upon her to shut her ports against England. The Prince Regent bowed to the storm so far as to accede to that demand; but when the French Emperor farther insisted that all English goods should be confiscated, and the English residents be made prisoners, he gave intimation to our merchants to depart and remove their property; and prepared himself to transport the Royal Family to Brazil. We need only add, that in November 1807, this important measure was accomplished. At this very period, by the secret Treaty of Fontainebleau, Buonaparte had arranged with Spain for the partition of Portugal—but "ships," at any rate, were wanting.

In November this year, appeared also our new Orders in Council, retaliating the effects of the celebrated Berlin decree. They expressed two principal determinations of Government. I. That France, and all its tributary states, should be held to be in a state of blockade; and that all vessels should be seized which attempted to trade from any neutral port to those countries, or from them to any neutral port. II. That all vessels should be liable to seizure, which should have

on board any such certificate of origin as was required by the Berlin decree. Neutral vessels intended for a French or hostile port, were directed at all events to touch first at Great Britain, from which, after paying certain duties, they would in some cases be allowed to proceed; and in all cases they were permitted, and indeed enjoined, to come to Great Britain when clearing out with a cargo from any port of the enemy.

America was placed by these decrees and orders in a situation of great perplexity; and our own American merchants did not fail to make the results heard in Parliament and throughout the country.

When Parliament met in its second session, 31st January, 1808, the Orders in Council and the attack on Copenhagen became the leading topics of discussion.

Lord Grenville, in an elaborate speech, attacked the policy of Ministers on those points; and called upon them to produce the various data necessary to justify the latter measure.

In reply, Lord Hawkesbury contended "that Ministers could not be expected to point out the precise quarter and channel from which they had received their information respecting the arrangements at Tilsit; and said, that even if Ministers entertained any doubt of their information respecting what passed at that place, it must long

since have vanished. The information received through the channel alluded to was corroborated by a variety of other channels wholly unconnected with each other. It was corroborated by the testimony of the Government of Portugal, to whom it was proposed to make common cause with the Continent against England, and to unite their fleet with that of Spain, of France, and of Denmark, to enable the confederacy to make a general attack on these islands. It was corroborated by the testimony of different persons in Ireland, where all the designs and projects of the enemy were most speedily known, and where it was promised, that the combined fleets of Spain, Portugal, and Denmark, should make a descent on both Ireland and Britain, but the principal one on Ireland. A wish had been expressed that we had proceeded to Cronstadt, and seized the Russian fleet, leaving the Danish fleet of sixteen sail of the line behind us! Besides, the Russian fleet was not so ready for sea, nor so well calculated in any respect as the Danish fleet to carry the designs of the enemy into execution. Farther, there were many circumstances in the Treaty of Tilsit, which indisposed the people of Russia against that treaty: and even at the time the seizure of the Danish fleet was known at Petersburgh, the Emperor Alexander seemed more inclined than before to renew his relations with this country. As to all

that was urged against the Orders in Council, and against the treatment of America, while a negotiation with America was on foot, it was doubtless better to abstain from a discussion that would tend only farther to inflame the minds of the two countries. He lamented the uncalled-for mention of the state of Ireland. The concessions alluded to by the noble Baron could not now be thought of. Indeed, even if these concessions were made, still more would be called for, and there would be no end to such demands."

Lord Hawkesbury, on the 28th, moved the vote of thanks to the officers employed in the attack on Copenhagen. His motion related, he observed, merely to the service on which the expedition to Copenhagen was sent, and not at all to the policy of the expedition; the object of which, undoubtedly, of great magnitude and importance, was attained by the skill and ability of the officers employed. He commended, in particular, the promptitude and rapidity with which the Danish ships were fitted out, and brought away.

Lord Holland and Lord Grey doubted whether the skill and ability employed were deserving of being thus commemorated: and the proposed thanks to Lord Gambier and the officers of the fleet having stated that the judicious distribution of our force "contributed to the success of the expedition, after all negotiation had failed,"

the Duke of Norfolk objected to the words relative to "negotiation," as tending to prejudge the general question of the merits of the expedition: when the noble mover farther said, "that the negotiation alluded to in the motion was merely that entered into by the commanders in their military capacity, and had no reference to political negotiation." After a short conversation, the motion was agreed to, and ordered to be communicated to Lord Gambier when in his place in the House.

Lord Hawkesbury next moved thanks to Vice-admiral Sir H. E. Stanhope, bart., Rear-admirals Essington, Sir Samuel Hood, K. B., and Keates; Captain Sir Home Popham, K. M., Captain of the fleet, and the other officers. The Duke of Norfolk asked, if it was usual to include in a vote of thanks, the captain of a fleet by name? A conversation ensued about precedents. The Earl of Lauderdale observed, that it would be a most singular circumstance if Sir Home Popham were to be made the first instance of the Captain of a fleet being thanked by name. Some precedents, however, were produced, and the motion was agreed to. So also was a motion for approving and acknowledging the services of the seamen and marines.

On the 8th of February the Duke of Norfolk made his promised motion on the general subject of the attack on Copenhagen, which produced a

long and animated debate. No topic, indeed, was so frequently recurred to in both Houses this session. His Grace's motion was for the *substance* of all the communications made to Government respecting the secret articles of the Treaty of Tilsit, the destination of the Danish fleet, &c., to be communicated to the House.

One of its ablest opponents was the Marquess Wellesley. Rising immediately after the Duke of Norfolk, he maintained, that "the facts and circumstances, already before the House, were abundantly sufficient to enable the House to form a judgment on the justice and policy of the measure; that it was the design of Buonaparte to employ the resources of Denmark among the other naval means which he meditated to wield against the maritime superiority of Great Britain. Who could doubt it? Had he hesitated, in his usual abrupt tone and manner, to enquire of the Ministers of Portugal and Denmark, whether they had transmitted to their respective Courts his instructions, that their fleets should be equipped, and ready to unite with him in crushing the maritime despotism of England, and with that view to declare war, in concert with him, against England by the 1st of September? But it was said Denmark could defend herself. Could Denmark defend Zealand after she was deprived of Holstein, from whence she drew provisions for the support

of her insular dominions? Nor was it the policy only of Denmark, that inclined her to lean towards France. Her commercial interests gave her the same bias, for they were founded on the principles of the armed neutrality. It might also be said, that the accession of the Danish fleet to the naval means of France could not have created any serious danger to the safety of this country. But there was a wide difference between the present state of affairs, and that previous to the glorious battle of Trafalgar. Then almost all the great powers of the Continent were in arms against France. But when the expedition was sent against Copenhagen, the whole of the Continent was subdued, not merely for the purpose of conquest, but the subjugation of England, through the downfal of her naval supremacy. The necessity of the measure he considered as clear."

Lord Hawkesbury remarked that "the law of nations was founded on the law of nature. One nation was bound to another in the commonwealth of states, just as one individual was bound to another in civil society. The only difference was, that in civil society there were tribunals to judge between man and man; and that in the commonwealth of states there was no such tribunal. Specific intelligence of the secret arrangements of Tilsit had reached Ministers from a quarter which precluded all doubt of an intention to form a ma-

ritime confederacy against Great Britain. After the battles of Austerlitz, Jena, and Friedland, there was nothing on the Continent that could oppose any resistance to France. Denmark, when called upon, would have had no alternative. This was the plea she had alleged in excuse for declaring against us before, in circumstances less imperative. Denmark was unable to defend Holstein; and it was the opinion of the ablest officers, that if two bodies of French of 15,000 had been stationed along the Belt in separate corps of 5000 men each, some of them would have got over into Zealand; and when once a body of them did get over, there was no doubt that they would have got the better of the Danes, who were the worst land troops in Europe. If the Danes had been willing to join with the British force, the attempt of defending Zealand would have been made. That offer having been made and rejected, no time was to be lost. The moderation and forbearance of our commanders, before and after the attack, left no room for regret at the manner in which the business had been done. How then could it be said, that the expedition excited disgust in all the nations of Europe? There was, indeed, but little freedom of speech on the Continent; but where that freedom existed, the voice proved favourable to Britain. And it was no wonder, for the gene-

ral interests of Europe were consulted as well as those of Great Britain. Europe, Asia, Africa, and America, would find in this act the *nucleus* of their future independence and grandeur. Without ships, colonies, and commerce, our enemy would never be able to humble Britain; and this grand blow would for ever prevent the attainment of his object."

When Lord Sidmouth afterwards proposed an address to his Majesty, "that he would be graciously pleased to give directions for the Danish fleet to be so preserved as not to preclude the possibility of restoring it," Lord Hawkesbury opposed the motion, as "tending to fetter the executive Government in case of a negotiation with Denmark, as casting an oblique censure on the conduct of Ministers, and as affixing a stigma upon a measure which was both just and necessary."

In the Commons, the Orders in Council were, as we have intimated, discussed at great length. Mr. Perceval was here the strong arm of Administration. In the Lords, Lord Auckland altogether denied their justice and legality. Lord Grenville said, "if a neutral power granted certain advantages to the enemy, then we had an undoubted right to insist on being admitted to the same advantages; or, if a neutral power acquiesced from weakness, in the demands of the enemy, all that we could in justice require was, that in

consequence of this demand, the enemy should not be placed in a better situation in regard to her than we were. But we had no right, because the enemy violated the rights of one neutral, to violate the rights of all neutrals: for if this principle were once admitted, it would lead to an extension of hostilities over the whole civilized world. The foundation of the Orders in Council was stated in the preamble to be, that neutral states had not obtained the revocation of the French decree, a circumstance which he considered as of no importance whatever, for if it was not executed, it was the same thing as if it had never been published. It could not be asserted that America had acquiesced in this decree." Lord Grenville contended, that "in many instances the orders were unintelligible. He would undertake to prove, that in four clauses of the same paragraph, they contained four direct contradictions." His Lordship proceeded to show the extreme impolicy of the orders.

The equity and legality of the measures of Ministers were, on the other hand, maintained by the Lord Chancellor and Lord Hawkesbury. From the preamble to the French decree of November 21, the Chancellor contended, that "Buonaparte must have meant not only to exclude British produce and manufactures from his ports, but also to prevent all trade whatever in British commodi-

ties. Whoever traded with Great Britain was an enemy to France, which was a flagrant violation of the laws of neutrals and the rights of nations."

Lord Hawkesbury at this time predicted from the Orders in Council various commercial advantages. With regard to the point of legality, he insisted chiefly on the *argumentum ad hominem* of the Order of Council of January 7.

The American Intercourse bill was designed to mitigate the application of our respective measures as far as they concerned our commerce with America; or rather, as Mr. Perceval said, "it was the continuance of an Act of the twenty-third of the King in their favour; and designed to give them time to cool in their present resentments against the defensive plans of this country."

Lord Auckland, and the Opposition in the House of Commons, objected that this bill was in direct contradiction to the Orders in Council: that they were calculated to produce an irritation which this bill would by no means relieve: they were calculated to show we could condescend to be wicked and oppressive; this measure, that we could be unavailing, weak, and capricious, in our mode of warfare.

Lord Hawkesbury defended the bill, as giving time for making arrangements respecting American commerce, which, if the former act was suffered to expire, could not be carried on with this

country in American vessels. The bill was read a third time, and passed, February 26.

On the 7th of March, Lord Sidmouth was again the advocate of the alleged wrongs of Denmark. "He had heard," he said, "that an application had been made at the beginning of the present rupture with that country, to know whether the Danish vessels then in our ports would be safe in loading? The nature of the answer he did not know. But those vessels completed their cargoes; which, unless it had been favourable, he could not imagine they would have done: yet those vessels and their cargoes were afterwards detained and forfeited; the produce, which amounted to nearly two millions, became droits of the Admiralty."

Lord Hawkesbury declared, "that the same course had been adopted with respect to the Danish vessels, as had been adopted with respect to the vessels of other powers detained in similar circumstances. No assurance of protection had been given, either directly or indirectly, by Government to the Danish vessels in our ports, at the time mentioned by the noble Lord. As to the crews, they were, as in other cases, detained prisoners of war, with the exception of some individuals, who had been under particular circumstances released. A cartel proposed to the Danish government had been hitherto declined. As

to the value of the ships and cargoes, it had been greatly exaggerated."

To Lord Sidmouth's more formal resolution on this subject, on the 17th of May, Lord Eldon replied, that "as the law stood, a vessel detained, although there might be no reason for the detention at the time, became forfeited to the crown. This might operate as a hard case in many instances on individuals; but he had great doubts whether there could be any thing like a commercial peace and a political war at the same time. Such a system, and the idea of compensation for losses, would only lead to speculation on the part of individuals."

Lord Hawkesbury adopted the same line of argument, asserting, that "the war on the part of Denmark was entirely optional, and, in fact, courted by that country; and also that the seizing the Danish ships was not without precedent."

We have noticed the provisions of Mr. Windham's Limited Service bill: they were for awhile popular, and increased the returns of the recruiting service: but they ill-assimilated with the other parts of our permanent military system, and particularly with the necessity of frequently removing regiments to distant and colonial service. In the Mutiny bill this year, therefore, Ministers introduced a clause, allowing men, at

the termination of their limited service, to enlist again for life: the recruiting on the limited plan was not, however, discontinued.

Mr. Windham expressed considerable surprise and chagrin at this alteration.

On explaining it in the House of Peers, Lord Hawkesbury stated, "it was not intended that those who had enlisted for a limited service, should have the option of enlisting for unlimited service, until the term for which they had first enlisted had expired."

At length from Spain—a quarter of Europe where liberty seemed to have slept the sleep of death, a burst of patriotism suddenly arose, which was heard and reverberated from the shores of the Frozen Ocean. Buonaparte, having promoted the most unnatural dissensions among them, had cajoled the imbecile royal family to Bayonne; taken possession of the capital, and all the principal fortresses in the north of the peninsula; and procured from Charles IV. and Ferdinand a formal resignation of their respective rights to the crown. On the departure of the last of the royal family from Madrid, the people of that city rose on the French soldiers. Which were, in reality, the immediate aggressors will never now be ascertained, but 10,000 French troops could with difficulty put down the insurrection, and the carnage that

ensued was dreadful. On May 4th, a royal edict, dated Bayonne, declared the Grand Duke of Berg, Viceroy of all Spain. A junta of Notables to represent the Spanish nation was now summoned to that place, to fix the form of a new government. To constitute this assembly, Buonaparte named about one hundred and fifty individuals of different classes and conditions, but only about ninety were convened. This junta held their twelfth meeting on the 17th of July, when they dishonoured themselves for ever by accepting Joseph Buonaparte for their King.

This Intruder first set foot on the territory of Spain on the 9th of July, and made his public entry into Madrid on the 20th, attended by the members of the Bayonne junta, and a personal guard of 10,000 Italians and other troops, independent of an army of 18,000 men, posted at Madrid for his defence. But while courtiers and courtly patriots could thus bow their necks to the degrading yoke; while the flower of the Spanish army was serving the usurper of their rights abroad; and the whole eastern frontier was a line of French garrisons: while their metropolis, their provinces, and the neighbouring kingdom of Portugal was possessed by 100,000 of the best soldiers, commanded by the ablest officers in Europe, without arms, ammunition, or money, the

Spanish people rose on their oppressors. Their first cry was, "The Spanish blood shed at Madrid calls for vengeance."

On the 27th of May, the anniversary of the patron saint of their Prince, Ferdinand, the insurrection became general: already (25th) had it in Asturias assumed a sufficiently organized form for two noblemen to be despatched to England in quest of succours. Ministers received intelligence of these events also by despatches from Cadiz, Corunna, and Gibraltar: and the appearance of the Spanish deputies was hailed in London with enthusiasm.

In Parliament it was first adverted to by Mr. Sheridan: "Hitherto," he said, "Buonaparte had run a victorious race, because he had contended against princes without dignity, ministers without wisdom, and countries where the people were indifferent as to his success; he had yet to learn what it was to fight against a people who were animated with one spirit against him. Now was the time to stand up, fully and fairly, for the deliverance of Europe; and if the Ministry would co-operate effectually with the Spanish patriots, they should receive from him as cordial and as sincere a support, as if the man whom he most loved were restored to life and power. Will not," said he, "the animation of the Spanish mind be excited by the knowledge that their cause is es-

poused, not by Ministers alone, but by the Parliament and the people of England? If there be a disposition in Spain to resent the insults and injuries, too enormous to be described by language, which they have endured from the tyrant of the earth, will not that disposition be roused to the most sublime exertion by the assurance that their efforts will be cordially aided by a great and powerful nation? Never was any thing so brave, so generous, so noble, as the conduct of the Spaniards! Never was there a more important crisis than that which their patriotism had thus occasioned in the state of Europe."

Mr. Canning said in reply, that "His Majesty's Ministers saw with the most deep and lively interest, this noble struggle against the unexampled atrocity of France; and that there was the strongest disposition on the part of Government to afford every practicable aid in a contest so magnanimous. In endeavouring to afford this aid," he said, "it would never occur to them that a state of war existed between Spain and Great Britain. They should proceed upon the principle, that any nation who started up with a determination to oppose a power, which, whether professing insidious peace or declaring open war, was the common enemy of all nations—whatever might be the existing political relations of that nation with Great Britain—became instantly our essential

ally. As for what were called peculiarly British interests, he disclaimed them as any part of the considerations which influenced Government. In this contest wherein Spain had embarked, no interest could be so purely British as Spanish success."

In the House of Lords (June 30,) Opposition, in the same candid and creditable manner, called upon Ministers for exertion.

"There was no man," said the Duke of Norfolk, "but must wish success to a generous and gallant people thus struggling in the glorious cause of national independence. No man, he was sure, could more cordially wish them success than he did, or would more willingly concur in the proper means of promoting and ensuring that success. But what were the most proper conditions, and the best mode of assisting the Spaniards? What part were his Majesty's Ministers prepared to act at such a juncture? They had at present in this country delegates from the brave people of Spain, who seemed determined to stem the torrent by which they were to be swept into servitude. From these and other sources he hoped they might be able to collect the best information of the real state of that country, and of the probability of success with which so bold and hazardous a struggle might be attended. With such information before them, what would

be their conduct? This was the point that excited his anxiety."

Lord Hawkesbury acknowledged the open and circumspect manner in which the noble Duke had delivered himself on a topic of such delicacy. "The people of Spain," he said, "had manifested a spirit and determination to resist the attempts of their invaders, which would have done honour to the most glorious periods of their history, and which perhaps were not to have been expected under the pressure of such formidable difficulties. Such a scene, every man in that House, and in the country, must hail with the liveliest satisfaction. And what every generous heart must wish should be done in support of so glorious a cause, his Majesty's Ministers would feel it their duty to do. With regard to what information they had received of the designs or the hopes of those brave and resolute men, who, in defence of their country's independence, were exposing themselves to every thing that a powerful and sanguinary tyrant could devise and inflict, it could not be expected that he should now unfold it. His Majesty's Ministers were fully sensible of the extreme importance of this event: and he trusted they would be found to have acted accordingly."

Such was the first Parliamentary notice of these great events. On the 4th of July, both Houses were prorogued by commission. The speech no-

ticed the application of the deputies; that his Majesty could no longer consider Spain as an enemy, but as a natural friend and ally; that his Majesty had returned an answer to the deputies, which had been received with confidence and affection by their constituents; and that he should continue to make every exertion in his power for the support of the Spanish crown.

The tale of the early events of the Peninsular war has been too well told by Dr. Southey and others, to need repetition; we shall only glance at them, so as to make evident the arduous situation of the British Ministry.

On the 14th of June, a French squadron, in the harbour of Cadiz, consisting of five ships of the line and one frigate, surrendered to the Spanish arms: in July the first memorable siege of Sarragossa took place: but the most important advantage obtained by the patriots this year, was the decisive victory over Dupont, who surrendered with twelve thousand men, as prisoners of war. On the other hand, the patriot General Cuesta, at the head of as large a force, was defeated by the French, in the western provinces of Spain.

Ministers at this time opened a communication with the Marquess Romana, who had been stationed by Buonaparte with ten thousand Spanish troops on the islands of Zealand, Longland, and

Jutland. They represented to him the actual state of affairs in his native country, and he was not tardy in deciding for the patriot cause. Admiral Keats, our commander in the Baltic, conveyed the whole Spanish army, with their stores, ammunition, and artillery, to Corunna, in September.

But even at this period, considerable jealousies at our interference were entertained by the Spanish authorities. When Sir Arthur Wellesley appeared at Corunna in July, with a British force of ten thousand men, the Juntas of Gallicia and Seville successively declined his services; and the army remained for a while inactive at Oporto. At last, Sir Arthur disembarked at Mondego Bay, and fought the battle of Vimeira; which resulted in the expulsion of the French from Lisbon. Within two days was signed the extraordinary Convention of Cintra.

In the month of August this year, Louis XVIII. and his Queen arrived in England, with the Duke and Duchess d'Angoulême; a liberal provision was made for him and the royal household. But what mortal ken could as yet have divined how this visit should close!

In the interim, Buonaparte and the Emperor Alexander having met at Erfurth, a flag of truce arrived at Dover, (Oct. 21st,) with a Russian and French officer, bearers of another insidious over-

ture to this country. Lord Hawkesbury being at this time at Walmer Castle, detained the French messenger.

The evident object of this effort at negotiation was to divert our Ministers from the straight-forward and truly honourable course which they were now pursuing with regard to Spain. It was proposed to his Majesty, to enter into a negotiation for a general peace, in concert with his Majesty's allies, either on the basis of *uti possidetis*, or on any other just basis. The King professed his readiness to enter into such a negotiation in concurrence with his allies, in the number of whom he comprehended the Spanish nation.

In the reply of France to this proposition, that nation was described by the appellation of the "Spanish Insurgents;" and the demand for admitting the existing government of Spain as a party to any negotiation, was rejected as inadmissible and insulting. The few notes that passed, therefore, were only productive of a declaration by his Majesty, published on the 15th of December, in which, while he deeply lamented an issue by which the sufferings of Europe were aggravated and prolonged, "neither the honour of his Majesty," it was observed, "nor the generosity of the British nation, would admit of his Majesty's consenting to commence a negotiation, by the abandonment of a brave and loyal people,

who are contending for the preservation of all that is dear to man, and whose exertions in a cause so unquestionably just, his Majesty has solemnly pledged himself to sustain."

Events of the greatest interest crowd into the closing months of this year. Sir John Moore now advanced into Spain, and Buonaparte determined to make a grand effort to cut off his retreat. Napoleon was disappointed by the celerity of the British movements: Sir John Moore was equally chagrined at the tardy measures of the Spaniards: the result was his retreat to Corunna, and the celebrated battle of that name.

Lord Hawkesbury was called, in the month of December, to the mournful office of attending the death-bed of his revered parent, who, after a lengthened illness, died, as we have stated, on the 17th, and was buried in the family mausoleum at Hawkesbury in Gloucestershire. The subject of our memoir was by this event placed at the head of his family, as the second Earl of Liverpool.

CHAPTER VII.

Meeting of Parliament.—Affairs of Spain.—Thanks moved for Lord Wellington's first successes there;—to the surviving commanders at the Battle of Corunna.—Convention of Cintra discussed in the Commons.—Militia Completion Bill.—Colonel Wardle's attack on the Duke of York.—His Royal Highness resigns.—Continental affairs.—Expedition to Walcheren.—Mr. Canning and Lord Castlereagh's duel.—Dissolution of the Portland Administration.—Perceval Administration.—The Continent prostrated before France.—Debates on the expeditions to Spain and and Portugal.—On the Walcheren expedition.—Sir Francis Burdett's quarrel with the House of Commons.—Bullion Report.—Conduct of Great Britain to the Spanish Colonies.—Differences with America.—Confirmed illness of the King.—Regency Question.—Division amongst the Members of Opposition.—Situation of Ireland.—Subsidy to Portugal.—Lord Stanhope's Bill on the Currency, adopted by Government.—Campaign in Spain.—Opening of 1812.—Riots in Nottinghamshire.—Debate on the employment of Captain Henry, in America.—The Restrictions on the Regent expire.—Negotiations in consequence.—Assassination of Mr. Perceval.

LORD LIVERPOOL, throughout his public life, had a large share of practical confidence in the cause of his country. He saw her institutions

survive unimpaired the conflict with democratic fury; they were now assaulted by the concentrated despotism of the French empire. If an hour of the greatest darkness seemed still to rest on considerable portions of the world, he had faith in the nearer approach of day. The counsels of history and of his own experience alike taught him to deprecate

> "Despair, whate'er our passing plight,
> In duty's well-known path, or suffering for the right."

On the meeting of Parliament on the 19th of January, 1809, the King's speech adverted to the late overtures for peace from France; in relation to which his Majesty expressed his persuasion that the two Houses would participate in the feelings expressed in his declaration. He informed them that his engagements with Spain were reduced into the form of a treaty of alliance. The peculiar claim of the King of Sweden to his Majesty's support was also insisted on. But the affairs of the Peninsula were the chief topic of debate in both Houses. Lord Grenville and the Earls St. Vincent and Moira blamed the manner in which our assistance had been afforded. Lord Moira said, "In Spain must be fought the battle of British independence: the fate of Spain must be the fate of this country." He therefore condemned the sending of our troops to Portugal.

Lord St. Vincent and Lord Grenville insisted that it was only in the north of Spain, or on the borders of the Pyrenees, that a British force could have acted effectually.

There was something characteristic of the old school of British admirals in the speech of Earl St. Vincent; and at least as much of the sailor as of the statesman. He said that "such part of the address as went to express a determined hostility to the common enemy, and a firm resolution to carry on the war against him, all must approve. But when he adverted to the manner in which that opposition to him had been conducted on the Peninsula of Europe, it was wholly impossible not to express both sorrow and indignation. He would assert in the face of the country, and in the face of the world, that it was the greatest disgrace that had befallen Great Britain since the days of the Revolution; and this he openly declared, whether he took into consideration the manner in which the war was carried on in Portugal, or the way in which our troops had been sent there. Transports were hired, and great merit was to be attributed, forsooth, to Ministers in providing these transports. But the public ought to be undeceived upon that head:—there was not a tittle of merit in the case; it was only going to market, and offering a little more than the market price, and transports were to be obtained in abun-

dance. He wished, however, to notice the important services to which these transports were eventually applied; why truly," said his Lordship, "they were at last employed to convey the rascally ruffians whom Junot commanded, to that part of France which was nearest the boundaries of Spain, that they might as speedily as possible be again brought into action, with more effect, against our soldiers. So that those devils," added his Lordship, "are at this moment harassing the rear of our retreating army. Whenever he looked at the terms of the Convention; whenever he reflected on the decision of that court, he could not avoid exclaiming that the decision so announced was a blot upon the country. Whenever he heard of councils of war being called, he always considered them as cloaks for cowardliness; so said the brave Boscawen, and from him he imbibed the sentiment, which time and experience had completely confirmed. At Vimeira we gained a victory, and in the moment that our soldiers were flushed with conquest, recourse was had to a council of war; that, he presumed, could only have been necessary, or indeed apologised for, in the moment of defeat."

Lord Grenville said, "With the Pyrenees unlocked, and the road between Paris and Madrid as open as that between Paris and Antwerp, there was nothing that could justify our sending into

the interior of Spain thirty or forty thousand British troops, to meet an army of two hundred thousand. I can compare such a measure," said his Lordship, "only to the famed march to Paris, [suggested by Lord Liverpool in 1793,] to which it is fully equal in its wildness and absurdity." The noble Baron did not conceive that he was perpetuating a species of counsel that was so soon to overturn the far wilder schemes of the enemy.

The Earl of Liverpool observed that, "with regard to the affairs of Spain, the address only proposed to give his Majesty a general assurance of support in maintaining the cause of the Spaniards as long as that nation proved true to themselves. In what way this support had been given, or how it was in future to be administered, would be a subject of distinct and detailed consideration: nor would the House, by now agreeing to the address, pledge themselves to approve of those particular engagements which had been contracted. All that they were now called upon to do was, to record a public avowal of their determination not to desert that cause which the Government and the country had espoused, and in which it was, in consequence of reverses, even become a more sacred duty to persevere. Those who inferred that the cause was desperate, from those disasters which had already happened, reasoned upon a most imperfect view of the relative situa-

tion of the parties engaged in the contest. And he entreated those who were inclined to despond, to consult the records of history, and to review those instances of nations who had been compelled to struggle for their independence in circumstances similar to those in which the Spaniards were now placed. There it would be found that nations, after maintaining struggles for ten or twenty years, in the course of which they had been almost uniformly worsted in battle, had eventually succeeded, in spite of the triumphs of their adversaries, in securing the object for which they contended. It was difficult to conceive any situation which would better warrant hopes of ultimate success, than that of Spain at this day.

"To him," he said, "it appeared a little extraordinary that Lord Grenville should have objected to the policy of the expedition to Portugal, which was almost the only point of the coast which was, at the time, in the possession of the enemy. A large force had been prepared with unexampled expedition, and in its application Ministers had taken the advice, not only of military men of high reputation, but had consulted the Spaniards themselves, who, both in the north and south, had recommended the reduction of Junot's army as the most acceptable service that it was in our power to perform. The consideration due to an ancient and faithful ally, he admitted to

have had considerable influence with his Majesty's Ministers, in undertaking the deliverance of Portugal. He requested also the noble Lord to bear in mind, that at the time when our expedition sailed, and which he seemed to think might have acted with greater advantage in the north of Spain, the passage from Paris to Madrid was as open as it is now; and that the French army was in possession, not only of the passage of the Pyrenees, but of a large district in the south of Spain. In consequence of the evacuation of Portugal, the Spaniards had been delivered from a large force, which, by acting in their rear, might have embarrassed and impeded all their future operations. Lord Liverpool also defended the *equipment* of the expedition to Portugal, which in every respect, and specifically in the proportion of cavalry and artillery with which it was accompanied, was perfectly competent to execute the service on which it was sent. Neither, he contended, had there been one moment's unnecessary delay in the march of our army from Portugal. If it did not proceed to Spain immediately after the conclusion of the Convention, it was because no Central Government had then been established, and it was impossible to arrange any plan of operations with the Provincial Juntas."

January 23rd, Lord Liverpool had the gratification of first moving the thanks of the House of

Lords for the conduct of Lord Wellington in the Peninsula. This motion respected the skill, valour, and ability, displayed by him on the 17th and 21st of August, 1808, and particularly on the latter day, in the battle of Vimeira.

On the 25th, his Lordship called the attention of the House to the dearly-bought triumph of our arms at Corunna. He introduced his motion of thanks to the survivors, by a warm eulogium on Sir John Moore.

"He had always understood," he said, "that an attacking army had, even with no more than equal numbers, a tenfold advantage over the army assailed: how much more then must the enemy have had the advantage in an attack with greatly superior numbers, and at a period when our army had been harassed by a long and fatiguing march. Yet with these disadvantages, the defeat was so complete that the enemy did not venture to make another attempt to interrupt the embarkation.

"Sir John Moore," he said, "had upon every occasion displayed the same zeal and ability; and by his skill and science, and latterly by his experience, had acquired the entire confidence of the officers employed under him. There was scarcely any service of importance to the country, in the last two wars, in which that gallant officer had not been employed. The fall of such a man was indeed a loss deeply to be lamented, and which

he, to whom Sir John Moore was personally known, sensibly felt. His memory and example, however, were left: his death was as glorious as his life had been honourable."

His Lordship observed, that "in wording his motion, he had strictly followed the precedent of the expedition to Egypt, in which the gallant Abercrombie fell."

The merits of the Convention of Cintra* were fully debated in the House of Commons; when Sir Arthur Wellesley explained his own conduct to the satisfaction of all parties.

The next most interesting speech was that of Mr. Windham. It was much admired at the time, for its acuteness and logical arrangement.†

* Lord Byron admirably described the arrival of the news of the signature of this Convention, in some stanzas of his Childe Harold, which Mr. Dallas advised him to suppress. They are not in his printed works; and there is no equal description of the principal personage of the following lines:

"Pens, tongues, feet, hands, combined in wild uproar;
Mayor, aldermen, laid down the uplifted fork;
* * * *
Stern Cobbett, who for one whole week forbore
To question aught, once more with transport leapt,
And bit his devilish quill again, and swore
With foe such treaty never should be kept;
Then burst the blatant beast, and roar'd, and raged, and—
slept!"

† The 'three points' he pressed against Ministers were,

In the House of Lords, Opposition singularly avoided this subject.

Lord Liverpool's connexion with the Home Department brought the state of the internal defence

First; That they were answerable for the Convention, good or bad as it might be, inasmuch as it was by changing the commanding officer, and the want of means which they ought to have provided, that it became, or was thought necessary. Secondly; That when they had got this godsend, they were not at all prepared to profit by it; and that therefore, Thirdly; If the honourable General's success had been completed in the way he had proposed, they would still less have been prepared; and made it still more evident, that they had sent the troops into Portugal in the most headlong, blundering manner, without the least idea of what they were to do, or what plan was to be pursued in different results that might be supposed. "What advantage," Mr. Windham asked, "could it be to the cause of the Spaniards, to transport the French troops in our ships to a port of France from which they would speedily march into Spain? Lord Castlereagh had stated, that it would have been improper to have sent out a large army under an inferior general; that a large force required, as it were, a large general. But surely it did not follow from that position, that a small army ought to be sent out with a small general? Small, he meant, in rank, not certainly in talents. Why not send out in the first instance, the proper general with a small army, especially when that small army was immediately to be increased to a large one? It was from the neglect of this principle that the rapid supercession of the generals, and all the calamitous consequences of the campaign, had arisen. It had been declared to the House and the country, from the highest authority in the state, that the Convention of Cintra had disappointed the hopes and expectations of the Nation."

of the country frequently before him. On the 9th of May, we find him explaining, in the House of Lords, the Militia Completion Bill. "On account of the late volunteering of the Militia," he said, "into a more regular and disposable force, the regiments had been considerably diminished in their numbers. In the regular course this deficiency would have been supplied by ballot in the different counties; but as that mode, in the present times, might be considered as rather hard upon that class on whom the ballot would immediately fall, it had been thought advisable, by the present bill, to enable each regiment of militia to supply its deficiencies by enlistment for a limited time. If after that period it should turn out that this mode had not been successful, it would be then necessary to recur to the old and regular method of ballot."

Earl Fitzwilliam protested, on this occasion, against the destruction of this constitutional force. He approved the bill, so far as it contained a provision for completing the deficiencies of the militia, by laying the expense of it not on the counties, but the public. But he regretted that the principle of the militia, in modern times, had been so much departed from; and that the militia regiments should have been made a recruiting, or perhaps, if he might use the expression, a crimping fund for the supply of the regular army. It

was not the bill before them alone, that he had in his eye on making these observations, he saw the militia more and more altered from those principles on which that force was first established."

Lord Harrowby contended that the principle of the old Militia Acts fully justified the present measure; and the bill passed to a second and final reading.

Amongst the embarrassments of Ministers at this period, must be reckoned Colonel Wardle's attack upon his late Royal Highness the Duke of York. That his opening was not justified by his case, weighed little at the time with the House of Commons or the public; great indiscretion was clearly proved against his Royal Highness; Ministers were incapable of defending the immorality of the connexions through which the Duke's enemies obtained their information; and the people were disposed to visit it with a rigour creditable to their feelings, though at the expense of the public interest. Mr. Perceval unguardedly moved that the Inquiry should be conducted by a committee of the whole House. The wisest part of the conduct of Administration was advising his Royal Highness to bow, for the moment, to the storm.

A military writer of the time observes with great truth: "That any man so capable as the

Duke of York, of appreciating merit; beloved by that army that owes to him its present superiority and consideration; honoured by his King and father, to whom he has ever demonstrated the most affectionate respect as a son, and never-deviating attachment as a subject; blessed by the widows and orphans of thousands whose only legacies were the unfading laurels they left their grateful country;—that such a man should have fallen from his high situation by an imprudent connexion, is a most awful [and useful] lesson to the present generation. Yet services such as the Duke's should make every feeling mind wish to draw a veil over private indiscretion." In fact, very shortly after his Royal Highness's retirement, the motives of his accusers were made so evident, and the value of his services to the army so unquestionable, that he rose eventually higher than ever in the public consideration.

At the same period, it will be recollected, the late Lord Londonderry became involved in a charge of corruption. He had been complimented, while at the India Board, with the disposal of a writership, which he now offered to a "trafficking broker," for a seat he wished to secure in the House of Commons. In his defence, his Lordship "disclaimed being actuated by any corrupt motive, or the exertion of any

official influence, though he much regretted that he had inadvertently been led to converse on such a subject with such a man; and said, that if the House deemed the action, or rather the intention, which was all that the accusation amounted to, unparliamentary, he should bow to any censure which he might be thought to deserve." On a resolution of censure being moved by Lord Archibald Hamilton, on the 25th of April, the Chancellor of the Exchequer moved the order of the day; in voting for which, Mr. Canning took occasion to remark, "that he would by no means be understood thereby to pronounce the case submitted to them as not of very serious importance." This opinion having apparently more weight than the vote, the order of the day was negatived, when Mr. Canning himself moved, "that the House, on considering the whole of the case, saw no necessity for a criminating resolution," which was carried by a majority of 214 to 167. This affair disclosed at least a coldness of feeling between the two Ministers, which was not unobserved by the public.

Napoleon, in the spring of 1809, won the battles of Ebensberg and Eckmul; and once more entered Vienna as a conqueror, on the 10th of May. In July, the battle of Wagram completely prostrated the Austrian Empire; while

in the Peninsula a series of disasters attended the patriot cause, and the French became masters of the whole of central Spain.

But in Portugal occurred some compensatory events. Sir Arthur Wellesley landed at Lisbon with reinforcements, on the 22d of April; advanced on Oporto, from which the French Marshal, Soult, retired; and effected a junction with the Spanish general, Cuesta, near Oropesa. The allied army now marched along the banks of the Tagus towards Olalla, and took an advantageous position near Talavera de la Reyna; when, early on the morning of the 28th, the enemy attacked the British in force; the battle continued at intervals during the whole day, and ended in the final repulse of the enemy. Sir Arthur, however, found himself obliged immediately after this action to retire on Badajos.

But Ministers were occupied during the summer with a much more important military measure—the expedition to Walcheren. Towards the end of July, a larger armament was assembled on the southern coast than had ever left our shores. It consisted of a military force of 34,000 infantry, 2000 cavalry, and sixteen companies of artillery, commanded by Lieutenant-general the Earl of Chatham; and of a naval force of thirty-nine sail of the line, and thirty-six frigates, besides mortar-vessels and gun-boats, under the

orders of Rear-admiral Sir Richard Strachan. The expedition had for its object the capture or destruction of the enemy's ships, either building at Antwerp or Flushing, or afloat on the Scheldt; the destruction of the arsenals and dockyards at Antwerp, Terneuse, and Flushing; the reduction of the island of Walcheren; and, if possible, the rendering the Scheldt no longer navigable for ships of war. The arrangements for the debarkation of the army were, for the most part, entrusted to Sir Home Popham.

It is not for us here to trace the partial success and final failure of this attempt: both will be within the recollection of our readers; and we shall find them the subject of prolonged discussions in Parliament. They are closely connected, however, with the history of the dissolution of the Portland Administration.

Mr. Canning, in the autumn, was driven to avow his long distaste of the measures of Lord Castlereagh, who more particularly planned this unfortunate expedition. On the 22d of September, a duel took place between him and that noble lord; when it appeared that some months before, Mr. Canning expressed to the Premier his dissatisfaction at the manner in which the war department was filled, and procured a promise that the Marquess Wellesley should be appointed to that department. It is

acknowledged that Mr. Canning expected the Duke of Portland to apprise Lord Castlereagh of this application; but the increasing infirmities of his Grace delayed the whole affair; and his Lordship considered himself unhandsomely used, in being treated as a colleague in the interval, and in the conduct of affairs of the greatest magnitude, when all confidence was withdrawn from him by Mr. Canning.

The two Secretaries and the Duke of Portland resigned; on which (on the 23rd of September) Mr. Perceval addressed a letter to Earl Grey and Lord Grenville, stating that his Majesty had authorized the Earl of Liverpool and himself, to communicate with their Lordships for the purpose of forming an extended and combined administration; and requesting their presence in London.

Lord Grenville repaired to town, in obedience to what he considered to be an intimation of the King's pleasure; but in his answer to Mr. Perceval, dated the 29th of September, he peremptorily declined any union with the present Ministers, declaring, "that it could not be considered in any other light than as a dereliction of public principle." Earl Grey, writing from his seat in Northumberland, considered "his attendance in town unnecessary, unless he had received the King's commands to that effect."

A more successful application was made to the

Marquess Wellesley, who succeeded Mr. Canning as Secretary in the Foreign Department; Lord Liverpool removed from the Home to the War Department; and Mr. Ryder received the seals resigned by Lord Liverpool. Lord Palmerston was appointed Secretary-at-War, in the room of Sir James Pulteney. Such was the first construction of the Perceval Administration.

In January 1810, Russia was still in strict alliance with the French Emperor; and Austria prostrate at his feet: the Spanish cause was considered a failure by many; and Buonaparte was compensated for his disappointments in that quarter, by the vassalage of every other part of continental Europe.

At the meeting of Parliament, however, the speech delivered in his Majesty's name, expressed his just confidence, under Divine Providence, in the wisdom of its counsels, in the valour of his forces, and in the spirit of the people. "His Majesty hoped that material advantages would be found to result from the demolition of the docks and arsenals of Flushing. The expulsion of the French from Portugal, and the glorious victory obtained by Lord Viscount Wellington at Talavera, had contributed to check the progress of their arms in the Peninsula. Assurances had been received of the friendly disposition of America; and his Majesty had much satisfaction in de-

claring the flourishing state of the national commerce, and increasing produce of the revenue."

The address was on this occasion moved by the Earl of Glasgow, and seconded by Viscount Grimstone, the brother-in-law of Lord Liverpool. The Opposition in the Upper House very vehemently condemned the late measures.

Earl St. Vincent observed that, "at the commencement of the last session, he did not expect that his age and infirmities would ever have allowed him again to address their Lordships. But such had been the untoward and calamitous events which had occurred since that period, that he was once more induced to trouble their Lordships with a few of his sentiments. Indeed," proceeded his Lordship, "we have wonderfully extraordinary men in these days, who have ingenuity enough to blazon with the finest colours, to sound with the trumpet and drum, in fact, to varnish over the greatest calamities of the country, and endeavour to prove that the greatest misfortunes ought to be considered as our greatest blessings. Such was their language after the disastrous Convention of Cintra; and now, in his Majesty's speech, they have converted another disaster into a new triumph. They talk of the glorious victory of Talavera! A victory which led to no advantage, and had all the consequence of a defeat."

"The conduct of his Majesty's Ministers had led to the most frightful disasters." Lord St. Vincent, alluding particularly to the expedition to Walcheren, said, "it was high time that Parliament should adopt strong measures, or else the voice of the country would resound like thunder in their ears."

Lord Grenville was equally severe. He said, "it was due to the memory of those who had bravely, but ingloriously, fallen a sacrifice to the ignorance, the incapacity, and the misconduct of Ministers; it was due to a deluded and suffering people, who demanded it at their Lordships' hands, that they should institute a rigorous and effectual inquiry into the conduct of those Ministers to whom those disasters were to be attributed. They found, in the speech of the King's Commissioners, that Ministers, from a sense of their guilty situation, glaring misconduct, and a fear of the consequences of that misconduct, had condescended to tell them that they would lay before Parliament certain documents and papers relative to the disgraceful and calamitous expedition to Walcheren. But the noble Baron cautioned their Lordships not to be deluded by that show of readiness for inquiry. The speech merely said, such papers and documents as should be deemed satisfactory to Ministers themselves, should be laid before Parliament. The Address moved, did not con-

tain any pledge to the country of an intention on the part of their Lordships to institute an inquiry. It did not even declare the necessity of having *all* the papers and documents, relative to the disastrous expedition, laid before them; but consisted merely of a complimentary expression of thanks, that *certain* papers were intended to be produced. Their Lordships would not that night do their duty, if they did not give a decided pledge to the country, that a vigorous and effectual inquiry should be instituted," &c.

He concluded with moving as an amendment to the address, " That we have seen with the utmost sorrow and indignation the accumulated failures and disasters of the campaign, the unavailing waste of our national resources, and the loss of many thousands of our brave troops, whose distinguished and heroic valour has been unprofitably sacrificed in enterprises productive not of advantage, but of lasting injury to the country: in enterprises marked only by a repetition of former errors; tardy and uncombined; incapable in their success of aiding our ally, but exposing in their failure his Majesty's councils to the scorn and derision of the enemy:—that we, therefore, feel ourselves bound, with a view to the only atonement that can now be made to an injured people, to institute, without delay, such rigorous and effectual inquiries and proceedings, as duty

impels us to adopt, in a case where our country has been subjected to unexampled calamity and disgrace."

Lord Moira and Lord Grey made similar observations.

The Ministers in the House observed, "that Opposition, in their zeal for justice, asked for condemnation without inquiry." They, in particular, defended the expedition to Spain and Portugal; which Lord Liverpool pledged himself to prove had been most beneficial to the common cause. He instanced, as a proof of this, "that the Provinces of Gallicia, Asturias, and Estremadura, had been completely cleared of the French; and although it was true that they had by surprise defeated two Spanish armies, yet they had not been able to gather any fruits of their victories; for they had not advanced one step. With respect to the expedition to Walcheren, he admitted that Ministers knew of the Austrian armistice before it sailed; but he was ready to contend, that it nevertheless operated as a favourable diversion for Austria, for it had drawn to the banks of the Scheldt a large body of conscripts, which were intended to have acted against her. He knew it was the desire of Austria that we should retain Walcheren until she should come to terms of peace with France. And hard as those terms were for her, whoever compared the

threats of Buonaparte with the terms which he afterwards granted, must admit that some cause had reduced him to the necessity of relaxing from his threatened severity. This cause, in Lord Liverpool's opinion, was no other than our holding, at the express request of Austria, the Island of Walcheren; and, in fact, that was the reason why we held it, after the ulterior objects of the expedition were known to be defeated. But there was one important object, in which the expedition to the Scheldt had completely succeeded. It was known to be a favourite measure of the enemy to form a naval dock and arsenal at the mouth of the Scheldt; and it had always been admitted by professional men, that if an invasion of this country were ever to be effected, it would be from the mouth of that river. In one great object, therefore, we had at least succeeded; for, in the opinion of professional men, it would require much less time and expense to form a new harbour and arsenal, than to restore the one we had destroyed at Flushing. Some noble Lords had said, 'that the destruction of Flushing was an achievement of no importance, and as such considered by the ruler of France.' He would ask those noble Lords, whether, if the case could be reversed, and a French fleet were to attack and destroy Sheerness, and afterwards make good their retreat, it would be considered by Buonaparte

as a small triumph, or by us as a trifling defeat?" The question being loudly called for, the House divided, when there appeared to be for Lord Grenville's amendment, 92; for the original address, 144.

On the 26th of January, Lord Liverpool moved the thanks of the House to Lord Viscount Wellington and the officers and army under his command, for the skill and ability by which they obtained a victory over the enemy at Talavera. "In framing this motion, he had," he said, "with a view to conciliation, separated the conduct of the army and the officers commanding, from every other subject connected with the general management of the campaign. Whatever opinion might be entertained with respect to the measures which led to the battle itself, or to the consequences which ensued, there could be but one sentiment as to the skill of the General and the valour of the army that fought at Talavera.

"The thanks of both Houses had been given to Sir John Stuart, and the army, for the eminent skill and valour displayed, and the splendid victory obtained by the battle of Maida; though the objects for which that battle was fought were not obtained. It had been determined to make a concentrated attack on the combined armies. Although the Spanish army was present, and partially took a part in the battle, the brunt of

the attack was principally, if not wholly, borne by the English, not amounting to more than 20,000 men. The French army fell but little short of 50,000. The enemy, after repeatedly renewing their attacks, were repulsed with the loss of nearly 10,000 men, twenty pieces of artillery, and four standards. It was of the last importance that such victories as that of Talavera, should be rewarded by every tribute of honour and praise, that House could bestow. It had been the good fortune of Great Britain to unite a military spirit with commercial pursuits, and every encouragement was due still farther to promote that spirit. No achievement was ever more entitled to praise, than the victory of Talavera.

"He admitted, that if their Lordships were called upon to decide on all the circumstances of the campaign, it might materially alter the question. But he wished to direct their Lordships' attention solely to the conduct of the officer, and the army under his command, on the 27th and 28th of July."

On this occasion, Marquess Wellesley made an able speech in defence of the general operations of the campaign. "He however perfectly agreed," he said, "with the noble Lords on the other side of the House, as to the necessity of a radical change in the government of Spain; and his opinions on that head, he believed, were not un-

known. But that change could not be the work of a day. And were we, therefore, to abandon the Spaniards to the mercy of their cruel invaders, to desert them in the crisis of their fortunes? As to the battle of Talavera, nothing more could be said of that battle, in a military point of view, than that the British troops had succeeded in repulsing the attack of a French army almost double their numbers, the efforts of which had been directed chiefly against the British. And, with respect to its consequences, he would boldly maintain, that the defeat of the enemy at Talavera had essentially contributed to the main objects of the campaign. For, unless that blow had been struck against Victor, it would have been impossible to prevent the enemy from overrunning the South of Spain, or from making a fresh irruption into Portugal. It saved the South of Spain from absolute destruction. It had afforded time to Portugal to organize her army, and to strengthen her military posts. It also enabled Lord Wellington to take a position, where he might derive supplies from Spain at the same time that he drew nearer to his own magazines. Upon the whole, he did not hesitate to say, that his brother was, as justly entitled to every distinction that his Sovereign had conferred on him, and to every honour and reward which it was in the power of that House to bestow, as

any noble Lord, who, for his personal services, had obtained the same distinctions, or who sat there by descent from his illustrious ancestors."

The expedition to the Scheldt, like one of its own sombre fogs, hung about the debates in Parliament all this session. The City of London prayed for inquiry into the causes of its failure; and the King was advised to reply, that he did not deem any inquiry necessary. Lord Chatham, indirectly at least, blamed the naval commanders; Admiral Sir Richard Strachan retorted; and the Ministers with whom it originated, differed, we have seen, with each other.*

* Among the papers moved for in the House of Commons was "A Copy of the Earl of Chatham's Statement of his proceedings, dated October 15, 1809, and presented to the King, February 14, 1810." This document was, in fact, an appeal to his Majesty by the commander of one part of the expedition against the conduct of the commander of another part, and gave rise to much debate in the House. A motion being made by Mr. Whitbread for an Address to his Majesty, requesting that there might be laid before the House, copies of all reports and other papers submitted at any time to his Majesty by the Earl of Chatham, relative to the late expedition, it was carried, on a division, by 178 to 171 votes. The answer returned to the address signified, that the King had received a report from Lord Chatham on the 15th of January, which he had kept till February the 10th, when it was returned to the Earl in consequence of his desire to make some alterations in it; that the report thus altered having been again presented to the

Lord Liverpool shrunk from no part of the responsibility involved. He was evidently chagrined at the melancholy result before the world, and the confusion betrayed in the Cabinet, and in all the counsels connected with this unhappy affair; but he was not to be borne down by the public clamour.

When the Marquess of Lansdown moved in the House of Lords for an Address to his Majesty, to request that he would be graciously pleased to inform the House who it was that advised his Majesty to return the answer just alluded to, to the City of London, his Lordship said, "If the object of the noble Marquess was merely to obtain the information which was

King on the 14th, it was directed by his Majesty to be delivered to the Secretary of State, and no copy of it was kept by the King. Mr. Whitbread, on the 2d of March, moved two resolutions respecting this matter: one stating the fact as above mentioned; the other, a strong censure of the same. After a long debate, the previous question was moved, but negatived by 221 to 188 voices; and the first resolution being then carried, Mr. Whitbread waved the second in favour of a modification of it proposed by Mr. Canning. It was then determined that the resolution should be entered on the Journals of the House: the consequence of which was, that Lord Chatham resigned his office of Master-General of the Ordnance.

The result of the debate on this subject, which closed in the House of Commons, on Friday, March 30th, exhibits the

asked for by the address, he had not the smallest objection to state that the whole of his Majesty's Ministers had concurred in advising his Majesty to give that answer, with the exception of the Earl of Chatham, who had not attended the deliberations on that subject. It was open, therefore, to the noble Marquess, to make that answer the subject of any accusation that he might think proper to urge against his Majesty's Ministers.

great weakness of Administration at this period. The House divided as follows :

For censuring the undertaking of the expedition	272
Against such censure	275
Majority,	48

For approving the undertaking of the expedition	272
Against such approbation	232
Majority,	40

For censuring the keeping our soldiers so long in Walcheren	224
Against such censure	275
Majority,	51

For approving of the keeping our soldiers so long in Walcheren	253
Against such approbation	232
Majority,	21

He was prepared to meet the noble Marquess on the ground of that answer.

"His Majesty's Ministers had no more right to call on Lord Chatham for papers or documents, than upon the commander of any other expedition. There was no ground for a military inquiry; nor any precedent for an inquiry in the case of conjoint military and naval service; nor could it, with any propriety, take place, where the military and naval code differed in so many material points. The only place in which a case of that kind could be fully gone into was Parliament, and to Parliament it had been referred. The original design of the expedition was, that the attack upon Antwerp should be simultaneous with that on Walcheren, which proceeded on the supposition that Flushing might have been masked while the attack was made on Antwerp. He still thought, that to attempt the destruction of the naval preparations at Antwerp was worth encountering a considerable risk. That this design was frustrated, was not to be attributed to any fault or failure in the plan, or in the execution of it; to any neglect on the part of the executive government; or to any misconduct in the army or navy: but to the elements. The failure in the main object of the expedition was to be attributed solely to the difficulties arising from the unusual state of the weather at that season."

Lord Mulgrave, at the head of the Admiralty, admitted however, on this occasion, "that if he had known of the existence of Lord Chatham's narrative, he should have advised a different answer to have been given to the City of London."

At the close of the session, (June 13,) Earl Grey submitted a motion to the House of Lords on the state of the nation. He reviewed, in a speech of great length, the entire situation and prospects of the country; and concluded with moving an Address, recommending economical and systematic arrangements for the conduct of the war; a recurrence to the true principles of commerce and currency; a wise and liberal policy in uniting all classes of his Majesty's subjects in the bonds of a common interest; and the adoption of such timely reformations, as might satisfy his Majesty's loyal people, that the sacrifices required of them, were strictly limited and faithfully applied to the service of the public.

In contrast to the gloomy picture exhibited by the noble Earl, Lord Liverpool insisted that a favourable change had taken place in the posture of our affairs. "Our commerce and revenue," he said, "had increased in a most unexampled manner; the number of vessels taken from the enemy, and those of our allies rescued from their grasp, was immense; the numbers of our army were greatly increased; the French had been, for the

first time in any war, driven entirely out of the West Indies; the French and Dutch flags were suffered to wave in that hemisphere no more—an advantage which had never been gained before, not even in the war of 1756. The family of Braganza had been removed from French influence and French aggression, to the Brazils, whence advantages of importance might be expected to result to this country. Portugal, which had been overrun by the enemy, had seen that enemy expelled by British valour. Spain had been encouraged to struggle with her oppressors by our example. The port of Lisbon was now free; and Cadiz and Ceuta were at present occupied by British, in conjunction with Spanish troops. Such was the real state of things at the period when the noble Lord had thought proper to move a censure so severe."—The address proposed by Lord Grey, was negatived without a division.

The attention of the public was finally called away from the Walcheren expedition, by the violent conduct of Sir Francis Burdett, and a portion of the Whig party. The committal of Mr. Gale Jones by the House of Commons, Sir Francis's intemperate letter on that subject, the issuing of the Speaker's warrant to convey the honourable Baronet to the Tower, and the necessity of enforcing its execution, are events of

this period no farther connected with the public life of Lord Liverpool, than as originating the decision of Government to support the House of Commons. They involved questions which much divided Opposition; many of whom, disgusted at the insults which were offered to the popular branch of the constitution, thought themselves called upon to support the dignity of Parliament. Others took the popular side; and, in point of legal authority, it appears that the Whigs, who opposed the unlimited committing privilege, were the highest. Respecting the commitment of Jones, Sir Samuel Romilly expressed the strongest doubts of the right of the House. "He doubted," he said, "whether they had a right to commit for a breach of privilege, in the case of a libel on the conduct of one of their own members. He thought the House had a right to commit in a great many cases: such as where their proceedings were interrupted; where the people, by hissing or otherwise, insulted members coming to the House; where they threatened members if they voted on a particular side; and in many cases of the like nature. But he made a distinction between libels published on the past conduct of members, and proceedings still going on in the House. In the latter case, he had great doubts as to the right of committing; because the House acted as their

own counsel, jury, and judge; because they were the accusers and the punishers."

On the other hand, Mr. Ponsonby, who was considered as the leader of the Whigs, spoke in favour of the right of Parliamentary commitment, though he blamed the Administration for precipitating the House into its present difficulty, by having brought their real privileges to an unnecessary trial. Since the business, however, had proceeded so far, he thought the House could not retract from maintaining their rights. "The two Houses of Parliament," he said, "were the *sole judges* of their own privileges. No Court in the country, however respectable the judges, could, or ought to presume to meddle with the decisions of either House. That was the first principle which he should maintain. The next principle was, that whenever either House of Parliament has declared its privileges, the Courts of Justice are bound to pay respect and obedience to them. The privileges of Parliament," he said, "were not inroads on the liberty of the subject, but its safeguards. The Commons, who represented the people, were their natural guardians, and their interests were identified. The people, he might be told, would not bear the exercise of those privileges; but our ancestors, certainly as high-mettled, as watchful of liberty as the present generation, had borne

them, when they declared, that one power and privilege vested in the Commons defended the liberties of the people."

As the public cooled, Government had the advantage of appearing to act on this side of the question: but neither party "took any thing," as the legal phrase is, by this movement. No point of constitutional practice appears to have been settled by it.

This session appeared an important Report of the Bullion Committee, drawn up by its Chairman, Mr. Horner. It was presented on the 8th of June. The Committee first inquired into the price of bullion, and found that a guinea was worth about twenty-three shillings of paper money; a degree of depreciation of paper currency confirmed by the rate of foreign exchanges. "It results from this unnatural state of things," they said, "that while a good guinea can only be current at twenty-one shillings, a guinea too light to pass in currency, gains value by its deficiency, and is actually worth twenty-two shillings. It is impossible, therefore, that any gold coin should remain in currency; and the result is, that the public lose about two shillings on a guinea in their income and expenditure."*

* The quantity of country bank notes is stated by the Committee to be dependent greatly on the quantity of Bank of England notes in which they are payable. "One of the

We shall see that this Report soon became the foundation of some important measures of Government.

witnesses estimates these country notes at twenty millions; but they are probably worth more than thirty millions, as the gold coin in circulation used to be estimated at that sum when there were only ten millions of Bank of England notes, making the then circulation forty millions, besides country notes, at that time perhaps five millions. Forty-five millions must have been augmented to fifty-four millions, to produce a depreciation of twenty per cent. as at present, whereby the country bank notes appear to amount to about thirty-four millions, the Bank of England notes being twenty millions in circulation; herein supposing the augmented rapidity of pecuniary transactions to balance the greater quantity of them, and that the same amount of circulating medium is now as necessary as in 1797."

The Committee plainly state, that "the only true and effectual protection to the public against an excess of paper currency, is the obligation on the parties who issue it to pay it in specie at the will of the holder; that, since the year 1797, when that protection was taken away by the Bank Restriction Bill, the Bank have extended the circulation of their notes from ten to twenty-one millions; that the country banks have also very considerably extended the circulation of their notes; that this increase of the circulating medium enhances the price of every commodity, raises the market price above the Mint price of bullion, and occasions the present unfavourable state of the foreign exchanges."

The Committee concluded their report by suggesting, that the restriction on cash payments could not safely be removed at an earlier period than two years. Adverting to the circumstance, that as the law stood, the Bank would be

The great object of France, this year, was to obtain possession of Portugal: and Massena was placed at the head of 80,000 men to effect that object. The policy of Lord Wellington, therefore, was strictly defensive throughout the campaign.

The cause of Spanish independence, as far as it depended upon Spain, was, as we have said, almost hopeless. But a circumstance now occurred, which put to the test the equity and moderation of our Government towards that country. The spirit of independence first appeared at this time in the Spanish colonies; and the Junta of Caraccas having solicited the British Governor of Curaçoa for aid in the popular cause, it became necessary that Ministers should make a declaration of the system they would pursue in regard to the colonies of Spain.

Lord Liverpool, therefore, addressed a letter, June 29th, to Brigadier-general Lidyard, the Governor of Curaçoa, in which he said, "it was the first object of his Majesty, on being acquainted with the Revolution in Spain, to second the

compelled to pay in cash at the end of six months after the ratification of peace; the Committee were of opinion, that if peace were to be immediately ratified, it would be hazardous and impracticable immediately to enforce the law. Two years, they think, ought to be given in the event of peace, but not more, though the war should continue so long.

efforts of so brave and loyal a people for maintaining the independence of the Spanish monarchy in all parts of the world. In conformity to these sentiments, and the obligations of justice and good faith, his Majesty must discourage every step tending to separate the Spanish Provinces in America from the mother country in Europe. If, however, contrary to his Majesty's wishes and expectation, the Spanish state in Europe should be condemned to submit to the yoke of the common enemy, whether by real compulsion, or a convention that should leave only the shadow of independence; on the same principles, his Majesty would think it his duty to afford every kind of assistance to the provinces of America that should render them independent of *French Spain*, open an asylum to such of the Spaniards as should disdain to submit to their oppressors, regard America as their natural refuge, and preserve the remains of the monarchy to their lawful Sovereign, if ever he should recover his liberty. It was a satisfaction to his Majesty to learn, by papers he had received, that what had passed in Caraccas was in a great measure owing to the erroneous impressions they had received of the desperate state of Spain. These being removed, the inhabitants of Caraccas would be disposed to renew their connexions with Spain, as integral parts of the Empire, on their being admitted to

take their place in the Cortes of the kingdom." A copy of Lord Liverpool's letter was communicated to the Council of Regency at Cadiz. Never was coined a better phrase than "French Spain:" would that his Lordship had not seen it but too applicable at a more recent period!

In the interim, Buonaparte dethroned his brother, King Louis, of Holland, with less ceremony than he had imposed him on that people, and annexed the once independent Seven Provinces to the French Empire. Piedmont was also annexed to France, for the purpose of securing the passage of the Alps by the Simplon; and possession was taken of the Hanse towns, and of the whole coast from the Elbe to the Ems. The Electorate of Hanover was annexed to the Kingdom of Westphalia, and its very name abolished: while to that country, and the other dependent kingdoms of France, the Conscription laws were extended.

We should add to this sketch of events that bore on our foreign policy, the elevation of Bernadotte, this year, as Crown Prince of Sweden; and our captures of Amboyna from the Dutch, and the isles of Bourbon and the Mauritius from France.

Between Great Britain and America there appeared little prospect of a final adjustment of differences. Mr. Gallatin, treasurer of the States, sent letters to the different collectors of the cus-

toms, announcing the abolition of the restrictions with regard to France, she having, as he said, revoked her edicts; but declaring that they would be revived in full force with regard to Great Britain on the ensuing 2nd day of February, should she not in like manner have revoked her decrees. By a second letter he gave his opinion, that in the case above-mentioned, all British goods arriving subsequently to the 2nd of February, 1811, would be forfeited.

On the 2nd of November this year, the Royal Family had to mourn the loss of the Princess Amelia, and its melancholy consequences on the King's mind. Parliament had been prorogued to the 1st of that month, and a commission was prepared by the Lord Chancellor, under an order in council, for a further prorogation; but as the sign manual was wanting to perfect the instrument, the two Houses met on the day previously fixed.

An adjournment for a fortnight was now unanimously agreed to; followed by a second adjournment to the 29th; and this again by a third, to the 13th of December. The physicians, on examination before the Lords of Council, and afterwards before the committees of both Houses, expressed their unanimous expectation of his Majesty's recovery; grounding this expectation on the general state of his health, and the precedents of 1788, 1801, and 1804. At length the imme-

diate state of the royal patient became such as to render it improper to propose any farther adjournment of the question of a Regency; and Ministers adopted, in the main, the precedent of 1788-9.

Long and bitter discussions of the question ensued. Ministers were reproached for the delay that had taken place, and accused of the most serious sinister designs. Money, it was declared by Opposition, could not have been legally drawn from the Exchequer all this time; and Lord Holland pressed this upon the House of Lords, in relation to the campaign in Spain.

Lord Liverpool declared in reply, that "he was not aware of any injury to the public service from any such delay, nor that Ministers had abstained from any acts, from which, under other circumstances, they would not have advised his Majesty to abstain. At whatever risk to themselves," he said, "they would do that which they deemed most conducive to the safety, honour, and interest of the country, leaving it for the justice of Parliament to consider of and decide upon the grounds of their justification."

Mr. Perceval moved the resolutions in the House of Commons, on which the subsequent steps were taken: affirming, 1st. The incapacity of the King; 2d. The right of the two Houses to provide the means of supplying the defect; 3rd. The

necessity of determining upon the means of giving the royal assent to a Bill for that purpose. The Opposition, waving altogether the question respecting the right of the Prince of Wales to the Regency, merely proposed that the Prince be addressed to take upon him the executive duties. This was negatived in the House of Peers by 100 to 74, and in the Commons by 269 to 157 voices.

On the resolutions moved by Mr. Perceval being carried, that Minister apprised the Prince of the restrictions he meant to propose; and his Royal Highness, in a brief reply, referred to the letter which he addressed to Mr. Pitt in 1789. The other members of the Royal Family also transmitted to Mr. Perceval their protest against the restrictions. The grand division in favour of them, however, was carried in the House of Commons, on the 31st of December, by 224 to 200 voices.

Never did this lamented Minister appear to more advantage than in advocating the necessary measures, and defending the conduct of himself and colleagues on this occasion. "We have not," he said, "been blind to these things. I am convinced, that I stand in a situation of as deep responsibility as ever Minister, stood in; a double responsibility, a responsibility to the public, and a responsibility to the King, my master. I feel this

to be our situation; and Parliament must have felt it, in suffering the delays that have already taken place.

"It is not from feelings of delicacy only that his Majesty's Ministers have acted, but from the conviction that the preserving to his Majesty the power of exercising his authority immediately upon his recovery, without the interruption of a Regent, would be a great national advantage."

"The delay," he added, "which has taken place, has been no covert delay: it has been perfectly open, and the reason why it was asked was fairly stated. We have had no disguise, no subterfuge; our object was broadly and fairly stated to Parliament. Sir, I say again, that Ministers feel deeply the heavy responsibility of their situation; they know that their conduct will necessarily be examined and scrutinized by Parliament; they know that they may have to request justice from Parliament for their conduct, at a time when those who are now censuring their conduct with so much acrimony, may possess a greater sway than they do at present. Is such a situation, then, a desirable one? Is it an object of ambition? Is it possible that any man, or set of men, can covet such a situation, or wish to retain it, except from the imperious sense of the duty which they owe to their sovereign and to their

country? That duty I will perform to the best of my humble abilities, and cheerfully submit my conduct to the justice of Parliament and of my country.

"It has been asked, whether, if under the present circumstances, the evacuation of Portugal were deemed necessary, any order could be sent out to Lord Wellington for that purpose? And do gentlemen really believe that any difficulty exists upon such a subject? Do they really believe that Lord Wellington would refuse to obey an order transmitted to him by his Majesty's Secretary of State, for that purpose, merely because he had heard of the King's indisposition? Undoubtedly they do not. The case they have put, then, is an imaginary one. Sir, in the office which I have the honour to hold, money must be taken out of the Exchequer for the public service; it is the bounden duty of Ministers to see that service performed; and do the honourable gentlemen opposite think that I would hesitate to draw the money for that purpose?" [Hear! hear! from the Opposition benches.] "Sir," continued Mr. Perceval, "I am unable to account for the distinction which the gentlemen opposite appear to me to make between the two cases which I have put. When I said that Ministers would not hesitate to give orders for the evacuation of Portugal, if it were deemed necessary, they

seemed, by their silence at least, to acquiesce in what I said; but when I spoke of applying the money voted for the public service to the public service, they affect great astonishment, as if the principle of the two cases was not the same. But do they think that where money has been voted by Parliament, and ordered by Parliament to be applied to a particular service, that I would hesitate to have that public service performed, for fear of the responsibility that would attach to me? Do they think that I would endanger the best interests of the country, from any consideration of personal danger to myself? Do they think that I would risk a mutiny in the army, or the navy, rather than take upon me the responsibility of issuing their pay? No, sir, if I could be guilty of such conduct, I should be unfit indeed for the situation which I hold! I should be guilty of a base dereliction of my duty to my sovereign and my country!"

A pecuniary difficulty of the kind alluded to by Mr. Perceval and the Opposition, did in fact occur during these debates. Certain issues of money to the army and navy being required, Mr. Perceval considered that the use of the Privy Seal would authorize them; but the Clerk of the Seal objected, and Lord Grenville, the Auditor of the Exchequer, hesitated to obey the order of the Treasury. Mr. Perceval, on this, laid the

correspondence on the subject before Parliament; and on the 3d of January, 1811, moved and carried a resolution that the Lords of the Treasury should issue their warrants for the payment of such sums as were necessary, and that the auditors and officers of the Exchequer should obey those warrants.

The resolution passed the Commons without a division; but, in the Upper House, twenty Peers, among whom were all the Royal Dukes, protested against it; because, they said, the principle on which it was founded, would justify the assumption of all the executive power of the Crown by the two Houses of Parliament, during any suspension of the personal exercise of the royal authority.

The debate on the Regency bill occupied both Houses until the middle of February.

It was now expected as a matter of course, that Opposition would succeed to the government: but various causes prevented this, and their combination was on the whole most extraordinary. Although the Prince Regent had, so far back as the period of Mr. Fox's death, seceded from the "party,"* he was well known to entertain a

* He expressed himself as no longer desirous of being considered "a party man," says Mr. Moore; alluding to a letter drawn up by Sheridan for the Prince, and addressed to a noble Lord.—*Moore's Life of Sheridan*, vol. ii. p. 384.

strong personal regard for several of its leaders; and he consulted them on the subject of his answer to the address of both Houses. But division pervaded every thing they had to do; they were united only, as we frequently have seen in the course of this memoir, in what they had to oppose. Lord Grenville's recorded opinions on the subject of the Regency differed altogether from those of his appointed coadjutor, Lord Grey; and Lord Moira's assistance, though recommended by the Prince, had been declined. A paper, to "almost every part" of which, according to Mr. Sheridan, the Prince "strongly objected," was the natural offspring of these divided councils. Sheridan and Mr. Adam, therefore, prepared the answer that was finally adopted. Mr. Moore gives us the comment of the former on the paper of the noble Lords. On the back of Mr. Sheridan's copy was written by him, "Grenville's and Grey's proposed Answer from the Prince to the Address of the two Houses: very flimsy, and attempting to cover Grenville's conduct and consistency in supporting the present restrictions at the expense of the Prince."

Lord Grey and Lord Grenville greatly resented the "interference" of Mr. Sheridan on this occasion; and a joint representation on the subject was presented by them to the Regent. We shall extract the conclusion of it, and what Mr. Moore

considers as the result, from that gentleman's narrative. "The draft," their Lordships said, "which they humbly submitted to his Royal Highness, was considered by them as open to every remark which might occur to his Royal Highness's better judgment. On every occasion, but more especially in the preparation of his Royal Highness's first act of government, it would have been no less their desire than their duty to have profited by all such objections, and to have laboured to accomplish, in the best manner they were able, every command which his Royal Highness might have been pleased to lay upon them. Upon the objects to be obtained, there could be no difference of sentiment. These, such as above-described, were, they confidently believed, not less important in his Royal Highness's view of the subject, than in that which they themselves had ventured to express. But they should be wanting in that sincerity and openness by which they could alone hope, however imperfectly, to make any return to that gracious confidence with which his Royal Highness had condescended to honour them, if they suppressed the expression of their deep concern in finding, that their humble endeavours in his Royal Highness's service had been submitted to the judgment of *another person*, by whose advice his Royal Highness had been guided in his final decision, on a matter on which they alone had, however

unworthily, been honoured with his Royal Highness's commands. It was their most sincere and ardent wish, that in the arduous station which his Royal Highness was about to fill, he might have the benefit of the public advice and responsible services of those men, whoever they might be, by whom his Royal Highness's glory and the interests of the country could best be promoted. It would be with unfeigned distrust of their own means of discharging such duties, that they could, in any case, venture to undertake them; and, in this humble but respectful representation which they had presumed to make of their feelings on this occasion, they were conscious of being actuated not less by their dutiful and grateful attachment to his Royal Highness, than by those principles of constitutional responsibility, the maintenance of which they deemed essential to any hope of a successful Administration of the public interests."

"On receiving this representation," says Sheridan's biographer, "in which, it must be confessed, there was more of high spirit and dignity than of worldly wisdom, his Royal Highness lost no time in communicating it to Sheridan, who, proud of the influence attributed to him by the noble writers, and now more than ever stimulated to make them feel its weight, employed the whole force of his shrewdness and ridicule in

exposing the stately tone of dictation which, according to his view, was assumed throughout this paper, and in picturing to the Prince the state of tutelage he might expect, under Ministers who began thus early with their lectures. Such suggestions, even if less ably urged, were but too sure of audience in the ears to which they were addressed. Shortly after, his Royal Highness paid a visit to Windsor, where the Queen and another royal personage completed what had been so skilfully begun; and the important resolution was forthwith taken to retain Mr. Perceval and his colleagues in the Ministry."

There can be no question that his Royal Highness, with equal wisdom and filial duty, considered the possible early recovery of his Majesty as making any change of Ministers undesirable. He indeed explicitly stated this in the letter to Mr. Perceval,* announcing his intention of continuing

* Dr. Southey states, (without, however, giving his authority,) that Mr. Perceval had, at this period, an interview with the King at Windsor, and found him well enough to converse upon public affairs, though not sufficiently recovered to bear the weight of business. He inquired anxiously concerning the Prince's conduct, and expressed great joy at finding that he had not thrown himself entirely into the hands of a party who were directly hostile to all the measures of his father's government; and he desired that the Queen would write to the Prince, to signify his approbation, and to request that he might not be harassed on his return to

the Administration in power. It is as little doubtful that Opposition felt the probability of that event; and were thus comparatively indifferent to what they considered as a temporary arrangement.

But, happily for the country, an opportunity was thus afforded Ministers to prove the unity and consistency of their counsels, and to conciliate the confidence of their Royal Master. Before the public they had to bear the taunts of exulting enemies, and the unpopularity naturally arising from the late disastrous events of the war; in Parliament they were deprived of much of the ordinary influence of Government, Opposition having strong borough connexions, and the Royal Family feeling it a point of honour to oppose their late measures: but they held their onward way with equal meekness and firmness. We have seen the excellent Premier's intrepid conduct in the House of Commons at this emergency. In reply to the Prince's discouraging letter, he said, "Mr. Perceval has never failed to regret the impression of

society, by having to change an ephemeral administration. The Prince, it is said, was well pleased to be thus relieved from the difficulties in which he found himself involved by jarring opinions and contending claims. Our author considers *this* circumstance as deciding the determination of the Prince to retain the King's official servants.

your Royal Highness with regard to the provisions of the Regency bill, which his Majesty's servants felt it to be their duty to recommend to Parliament. But he ventures to submit to your Royal Highness, that, whatever difficulties the present awful crisis of the country and the world may create in the administration of the executive government, your Royal Highness will not find them in any degree increased by the temporary suspension of the exercise of those branches of the Royal prerogative which has been introduced by Parliament, in conformity to what was intended on a former similar occasion; and that whatever Ministers your Royal Highness might think proper to employ, would find in that full support and countenance, which, as long as they were honoured with your Royal Highness's commands, they would feel confident they would continue to enjoy, ample and sufficient means for enabling your Royal Highness effectually to maintain the great and important interests of the United Kingdom. And Mr. Perceval humbly trusts, that whatever doubts your Royal Highness may entertain with respect to the constitutional propriety of the measures which have been adopted, your Royal Highness will feel assured, that they could not have been recommended by his Majesty's servants, nor sanctioned by Parliament, but upon

the sincere, though possibly erroneous, conviction, that they in no degree trenched upon the true principles and spirit of the constitution."

"The great and quiet majority of the nation," as Dr. Southey truly observes, "regarded the Prince Regent's determination with grateful joy: they anticipated, from the wisdom and feeling which dictated it, a perseverance in the true course of policy and honour; and in that anticipation looked on to a triumphant issue of the war, with a hope which from thence forward suffered no abatement."

Parliament met for the first time under the Regency, February 12th, 1811; the speech, which was delivered by commission, adverting principally to the successes of his Majesty's arms in the East, and the frustration of the enemy's designs in Spain and Portugal. It expressed also a hope that the disputes pending in America might come to a termination consistent with the honour of the kingdom, and the preservation of its maritime rights and interests.

On the address being moved and seconded in the Lords, Earl Grosvenor and Lord Grenville objected to the meagreness of the speech; and doubted the policy of sending farther reinforcements into the Peninsula. Lord Grenville asked "Whether it could be advisable that the mode of assistance to be pursued by this country should

be to make ourselves principals in this war, by embarking the whole of our disposable force in the issue of such a contest—where our enemy could bring the whole force of the Continent of Europe to oppose us? This question he did not hesitate to answer negatively; and therefore protested against pledging the House to agree to the employment of any additional force in the Peninsula." He also touched upon the negotiation with America, expressing his sense of the great importance of the issue, and his hopes that no farther opportunities would be neglected of bringing about a reconciliation.

Lord Liverpool defended the address, and observed, that "with regard to the war in the Peninsula, it contained no pledge to support any specific mode of carrying on that war; yet when the subject should come before them, he did not despair of being able to convince their Lordships, that the system adopted with respect to Spain and Portugal, was the best that could have been pursued." With respect to America, in the conclusion of his speech, he said, "he had no hesitation in declaring, that Government fully appreciated the value of that connexion; that they were disposed to act towards the United States in the most conciliatory manner; and that there was no political object for which they were more anxious than to establish the fullest and freest

commercial intercourse between the two countries; the incalculable advantages of which both knew from experience. It was never the intention of the British Government to provoke a contest with the United States. The measures which we were compelled to adopt, were for the purpose of vindicating and asserting our rights; rights which involved the honour, the security, and the prosperity of the country. If the effects of these measures have accidentally fallen upon the commerce of America, it is not the fault of British Government. It is to be lamented that innocent parties should suffer by the arrangements we were compelled to adopt in defence of our honour and interests; but the sense of that honour and those interests would never have allowed any other course to be taken." After these explanations the address was carried *nemine dissentiente.*

One of the first topics of discussion was brought forward by the Earl of Moira, and respected a movement of the Catholic body in Ireland. A plan had been adopted by the greater part of that body, of forming in Dublin a standing delegation, consisting of ten persons elected from each county, charged with the management of their affairs; not only for the purpose of petitioning, but for the redress of the general grievances under which they laboured.

This kind of organization alarming the Irish

government, produced a circular letter from Mr. Wellesley Pole, Secretary to the Lord Lieutenant, requiring the magistrates of Ireland, in pursuance of an Act of the 33rd of the King, to arrest and hold to bail all persons connected with such election or appointment.

On the 18th of February, Lord Moira inquired whether this measure of interference had been settled by Ministers before Mr. Pole's late departure for Ireland?

Lord Liverpool replied, that "the departure of Mr. Pole was wholly unconnected with the measure, which was then not at all in the contemplation of Ministers; indeed, they knew nothing of the matter till Thursday last. The intelligence, however, was accompanied with reasons for the procedure, founded on various sources of information, some of them of a secret nature, which proved that a systematic attempt was making for a violation of the law, and the Government of Ireland felt it to be such as to justify it in having recourse to this means of prevention." He concluded with coupling the noble Earl's motion with another, for a copy of the letter of the Secretary of the Roman Catholic Committee.

He afterwards (22nd) opposed the motion of Lord Lansdown for papers on this subject, on the ground that the House was already possessed of all the necessary information.

The Lord Chancellor, in defending the measure generally, confessed that " this letter appeared to him to be put together in a loose and careless manner."

Mr. Pole, in endeavouring to explain his conduct in the House of Commons, principally endeavoured to show in what respect the proceedings of the Catholic Committee of 1809, which had not been interfered with, differed from those which had produced this act of Government.

The Earl of Liverpool was next engaged in advocating a measure more directly connected with his department. A resolution was brought up from the Commons for granting a sum not exceeding two millions to the Regent, to enable him to take a certain number of Portuguese troops into British pay, and to afford such farther assistance to the Portuguese nation, as the circumstances of the campaign may render necessary.

The Marquess Wellesley introduced this resolution in the House of Lords; when Lord Grenville again objected to the entire policy of Ministers. " He thought the home defence was neglected for the sake of subsidizing foreign troops; and adverted to the deficiency in the Irish revenue, and other financial difficulties of the nation, as much more loudly demanding attention."

Lord Liverpool stated, in reply, that " most

important benefits had resulted from our taking the Portuguese troops into pay, and the great exertions that were making by that nation in the common cause." He said that "an erroneous opinion had gone forth, that the subsidy was to be remitted to Portugal in bills or specie; whereas a great part of it would be sent out in articles of clothing, ammunition, &c. to enable the Portuguese army to keep the field." He also combated the assertion, that that kingdom was almost entirely in the possession of the French, whereas in four of its provinces there was not a French soldier. On the whole, he maintained that "the war in the peninsula was generally and deservedly popular;" and said that the "longer the contest lasted in that quarter, the better for us, since it removed hostilities from our own doors."

We have noticed the report of the Bullion Committee, and the avowal of a depreciation in the currency which it contained. Ministers evinced a degree of pusillanimity in hesitating to act upon that unquestionable fact until its consequences became serious. Lord King, and some other large land-owners, refused to receive their rents except in gold; and guineas were extensively bought at from twenty-three to twenty-seven shillings, by agents of Government, to remit to the Peninsula.

At this crisis Lord Stanhope (June 27) pre-

sented a bill in the House of Lords, to make it illegal for any person to give more money for guineas, half-guineas, &c. than their lawful value. He disclaimed all party or personal motives in bringing forward this measure, and concluded with moving that the bill be read.

The Earl of Liverpool "did justice to the intentions of the noble mover, but was not willing to admit the necessity of this bill, as he thought that the example of the nobleman alluded to, as demanding gold from his tenants, was not likely to be imitated. Although, therefore, he would not oppose the bill in its present stage, he should move for its postponement at the second reading."

Government, however, at that period thought proper, on the whole, to adopt the bill; while Lord Holland, Lord Lauderdale, and Lord Grenville strenuously opposed it.

Lord Liverpool said, that "though he had at first thought that, upon the whole, it would be better to leave the law as it stood, yet when he attended to the principle of the measure under consideration, and particularly to the principles of those who opposed it, he began to feel that the remedy should be upheld." He noticed some of the arguments that had been used by the preceding speakers; and with respect to the assertion, that gold enough could be had if we were willing

to pay the price for it, he observed that "one of the most extensive and respectable merchants perhaps in the world, who was not much in the practice of supporting Ministers, had asserted that if he wanted ten thousand pounds in gold he should not know whence to procure it." He defended the great exertions which the present Ministry had made in the war; and concluded with saying, that "considering the consequences which might follow from the example which had been pointed out, it would be unwise to reject the bill."

The noble mover of the measure now said, that "when he came down to the House, he supposed that Ministers would throw out his bill; but the arguments of his noble friends, the Opposition, had, it seemed, made converts of them—a task which he certainly could not without their aid have accomplished; he had, therefore, to return thanks [bowing] to their Lordships right and left." On a division there appeared for the second reading of the bill 36, against it 12.

Lord Liverpool afterwards proposed a clause for taking from landlords the summary mode of distress, if payment should be offered in bank-notes, and that the bill should not extend to Ireland; which were agreed to.

Parliament was prorogued on the 24th of July, when the Prince Regent's speech, delivered by

commission, expressed great satisfaction with the measures of the session.

The campaign in the Peninsula, the only theatre on which the contest for European liberty was still maintained, commenced this year very early. In January, the French, under Marshals Suchet and Soult, became masters of Tortosa and Olivença. On the 25th of February an armament was sent out from Cadiz, under the command of Lieutenant-general Sir Thomas Graham, who disembarked a body of English, Spaniards, and Portuguese, at Algesiras. The object of the expedition was to attack the French who were employed in the siege; and the landing being effected on the 28th, the allied army arrived, on the morning of the 5th of March, on the ridge of Barossa, about four miles to the southward of the river of Santi Petri. Here the French army consisted of about 8000 men, formed in two divisions, and in a high state of discipline and equipment. The allied force scarcely amounted to 6000 men, of whom about one half were English. A battery of ten pieces of cannon, under the direction of Major Duncan, opened on the French centre; and on the right and left the enemy soon gave way; losing on this occasion 3000 in killed and wounded, their ammunition, six pieces of cannon, and an eagle.

General Bellegarde, chief of the staff, an aid-de-camp of Marshal Victor, and several other officers, were killed, and many were wounded and taken prisoners, among whom was the General of division Rufin, who soon after died. The loss of the allies amounted to about 1240 killed and wounded.

At about the same time that our arms were thus successful on the heights of Barossa, Marshal Massena, not being able to procure provisions, commenced his retreat from Santarem, where he had not ventured to attack Lord Wellington; who had drawn ample supplies from Portugal. He was closely followed by his Lordship, whose van attacked the rear of the French, on the 11th of March, and gained a considerable advantage. But this success was more than counterbalanced by the loss of Badajos, which was taken by the Duke of Dalmatia, the same day.

Lord Wellington now made arrangements for the blockade of Almeida, and after repulsing an attack from the French on the 7th of April near Olivença, took a position whence he could invest that place and Badajos.

On the 15th of April the fortress of Olivença surrendered to the allied arms; but on the 12th of May, the re-advance of Marshal Soult was announced by General Blake, and the commanders

resolved to give battle to the enemy. With this view the siege of Badajos was raised, and the army took a strong position fronting the banks of the Albuera.

Early on the morning of the 16th of May, the French passed the stream, designing to attack the Spaniards under Blake, and to turn the right wing of the allies. After an obstinate resistance the enemy repassed the Albuera with precipitation. Soult is said to have acknowledged, "that in the long course of his military service, he had never before witnessed so desperate and sanguinary a contest."

In this battle were six different nations engaged. British, French, Spaniards, Portuguese, Germans, and Poles: the French army consisted of near 30,000 men, of which number 4000 were cavalry: the allies had about an equal number of infantry, but not above 2000 cavalry. Their total in killed and wounded amounted to about 6000 men; that of the French must have been greater. Before day-break on the 18th, Marshal Soult began his retreat to Seville. In September, the French reinforcements enabled Marmont to appear in the field at the head of 60,000 men, and Lord Wellington retired behind the Coa.

Between Great Britain and the United States the disputes still remained unadjusted. Early in the year Mr. Forster was sent over as envoy ex-

traordinary: but nothing material was effected by this mission. In the month of May an accidental encounter occurred between the Little Belt, a king's ship of eighteen guns, and an American frigate of forty-four guns. The two Governments equally disavowed intentional hostility; but all these things tended to increase irritation. On the meeting of Congress on the 4th of November, President Maddison announced "the necessity of putting the United States into an *armour* and attitude demanded by the crisis, and corresponding with the national spirit and expectation!"

The most splendid naval achievement of the year was the conquest of the Isle of Java, by an armament fitted out from Madras, under the auspices of Lord Minto.

The Prince Regent's speech on the opening of Parliament, 7th January, 1812, expressed his deep sorrow at the continuance of his Majesty's indisposition, and at the unhappy disappointment of those hopes of his Majesty's early recovery, which had been cherished by his family and people. Parliament was congratulated on the complete success of the measures which had been pursued for the defence and security of the kingdom of Portugal. The surprise of General Girard's division by General Hill was noticed as a brilliant and important enterprise; and the

consummate judgment and skill displayed by Lord Wellington in the direction of the campaign received its full praise. The perseverance and gallantry of the Spaniards, and the fitness of the new system of warfare to the actual condition of the Spanish nation, are adduced as reasons for continuing to afford the most effectual aid to the Spanish people. The possession of the Islands of Bourbon and the Mauritius, and of the settlement of Batavia, were noticed as giving great additional security to the British commerce and possessions in the East Indies. The speech recommended to the attention of Parliament the propriety of providing such measures for the future government of the British possessions in India, as should secure their internal prosperity, and enable us to derive from those flourishing dominions the utmost degree of advantage. It regretted, that though the affair of the Chesapeake had been finally settled, various important subjects of difference with the Government of the United States still remained unadjusted, and stated, that the Prince Regent would continue to employ such means of conciliation as were consistent with the honour and dignity of his Majesty's crown, and with the due maintenance of the maritime and commercial rights of the British Empire.

Lord Grenville was again foremost in the ranks of Opposition. He once more condemned *in toto* the policy of Ministers, and particularly called upon the House of Lords to consider the portentous way in which the state of Ireland was alluded to in the speech: the attention of Parliament was in no way directed to the oppressions and grievances of that country, but only to the revenue that might be derived from it.

The Earl of Liverpool maintained, in reply, that "the system thus condemned had justified itself by experience; and professed his own readiness, and that of his colleagues, to defend their conduct when the day should come for canvassing the subject. He thought there was nothing in the address which could prevent any member from concurring in the assurance given to the Regent of assistance in the discharge of his arduous duties."

The most important subject which came under the consideration of Parliament this session, was the state of Ireland. On the 31st of January, 1812, Lord Fitzwilliam, in the House of Peers, moved for a Committee of the whole House to take into consideration the state of that country. After a long debate, in which the usual arguments for Catholic Emancipation were eloquently urged, the motion was rejected by a majority of 82, the

numbers being 162 and 79. The same motion was made in the House of Commons, by Lord Morpeth. The debate continued two days, and the motion was lost by a majority of 94, the numbers being 229 and 125.

The internal tranquillity of the country was, upon the whole, little disturbed at this period; but towards the close of the last year, serious tumults had broken out in the districts of the hosiery manufactory, particularly in the county of Nottingham; occasioned by an improvement which was introduced into the machinery for weaving stockings, and the discharge of many workmen which took place in consequence. They met in large numbers to destroy the new weaving-frames: and this became the pretext of so much disorder, that Ministers felt it their duty to make the deliberate breaking of the frames a capital felony.

On the 27th of February, the bill for effecting this was ordered for a second reading in the House of Lords, when the Earl of Liverpool stated its nature and necessity.

Lord Byron, on this occasion, rose and described, in what is called a maiden speech, the distresses which had driven the poor manufacturers to acts of outrage. "He expressed his detestation of the sanguinary spirit of a measure which, he contended, had only been resorted to in consequence

of the neglect of Government to apply timely remedies for the evil."*

The bill, however, passed, and these outrages subsided.

The disputes with America, destined only to be settled by the sword, were incidentally brought into discussion this session, by a message of the President of the United States to Congress. Without any previous communication with the British authorities, the President stated to that body, that "a Captain Henry had been sent by the Governor of the British territories of North America into the adjacent states, in order to foment discontents for the purpose of detaching them from the Union." This appearing in the American newspapers, Lord Holland, April 28th, rose in the House of Lords, and, after mentioning the fact of the message, said, "that he hoped the noble Lord opposite would be able to satisfy the

* Lord Byron took great pains in the composition of this speech, and is said to have delivered it with considerable energy. He once more addressed the House in favour of Catholic Emancipation, as it is termed; and a third and last time, when he presented a petition of Major Cartwright's on reform. "But if he had nerve he had not steadiness enough for a political life in England. He seems always to have felt it was not his *forte*, and says he could never have adhered to any party. The late Lord Londonderry, he told Captain Medwin, however, was the only public character which he ever detested."—*London Encyclop. Art.* BYRON.

public by a contradiction of the assertion it contained."

The Earl of Liverpool could have no hesitation in answering, that "no person had been employed by this Government to foment discontents in the United States; and that no intention existed on the part of Government to make any attempt to separate the Union." He said, that "Captain Henry was not employed by Government at all; and he supposed that Sir James Craigg could have employed him only to obtain information with a view to the defence of Canada, in case of a war."

Lord Holland, however, persisted in giving credit to the charge: and again introduced the subject on a motion for papers, May 5th. He said, "the proposition he should submit to their Lordships had no reference whatever to the line of policy proper to be pursued with respect to the United States, but was grounded on the general relations of all civilized states; he could not, therefore, understand upon what objections an opposition to his motion (which had been intimated) could be founded. It went to the crimination of no man, or set of men, but upon the necessity of vindicating the Government of this country from what he trusted was an unfounded charge made against it." His Lordship then referred to certain points of the papers communicated to Congress, and to that part of the instruc-

tions to Captain Henry which mentioned the inclosure of credentials to him, and spoke of the probability of the Federalists no longer submitting to the situation in which they had been placed by Government, but eventually looking up to the English for their assistance. He proceeded to show the dishonourableness of such conduct, and the improbability that Sir J. Craig would have so employed Henry without instructions from his Government, or transmitting to it the communications he had received; and he adverted to the fact, that when Henry claimed his reward, he presented a memorial to the office of Lord Liverpool, referring to Sir J. Craig for his conduct, and had, in consequence, received a letter to General Prevost, the successor of Sir J. Craig, recommending him to a valuable office in the country which he governed.

In answer to this, the Earl of Liverpool recapitulated his former statement, "that the Government here had no knowledge of the employment of the person in question, until many months after the transaction. It was true, that a person named Levates, going, in 1808, from Canada to the United States on his own business, had, of his own accord, opened a correspondence with the Governor of Canada, for the purpose of affording information; and his Lordship justified this proceeding by a detail of the menacing attitude with

respect to the British American possessions then assumed by the United States. Sir J. Craig sent Henry thither in February 1809. Much of what appeared in the papers was false and unfounded; but as far as authentic instruction went, he must contend that the directions were not for the purpose of exciting discontent, but wholly for obtaining necessary information. With respect to the remuneration of Captain Henry, as he had a recommendation from Sir J. Craig, backed by some very respectable persons in London, and it appeared that he had been really employed in services for which a remuneration had been promised, he (the Secretary) had held it his duty to act as was mentioned in the correspondence with Sir G. Prevost. It was not afterwards deemed consistent with delicacy to say any thing which might in the least have reflected upon the character of Sir J. Craig, who had returned home from his government under a mortal distemper, and had survived but a few months. He could not approve the course adopted by the noble Baron, but thought it should be left to Government to pursue the proper measures to explain and set forth the subject in its true light. Nor could he approve of the conduct of the American executive, which, without demanding explanation, or making any notification to the British Minister, had at once laid the papers before Congress."

Lord Holland's motion, though strongly supported by Lord Grey, was negatived by a majority of 73 to 27.

Early in the session the Council appointed to assist the Queen reported, "that all the physicians attending his Majesty agree in stating that they think his Majesty's complete and final recovery improbable." Mr. Perceval therefore proposed and carried a plan for the farther arrangement of the royal household; and recommended various additions to the civil list for the support of the separate establishment of the Regent.

At this period the Administration was weakened by the secession of Marquess Wellesley. The principal motive he assigned for this step was the difference of opinion subsisting between himself and the other party of the Cabinet as to the scale on which the war in the Peninsula should be carried on. A statement, published by his friends, added that he had repeatedly yielded with reluctance to the opinion of his colleagues on various other points; and that he could not, in fine, pay any deference to Mr. Perceval as a Premier, without injury to the public service. He signified his intention of withdrawing on the 16th of January, but observed that he would consult the Prince Regent's wish, and the convenience of the public service, as to the exact time.

Mr. Perceval now naturally employed himself

in looking around for a successor to his Lordship; and the year of restrictions on the power of the Regent drew to a close. To pursue this part of the history of the Administration to its issue, Lord Wellesley, we may add, was pressed by the Prince Regent to retain his situation in the public service; and at the expiration of the restrictions, to state his mind on the general subject of the formation of a new Ministry. He now, therefore, declared that "in his judgment it ought to be formed on an intermediary principle, between instant concession, and eternal exclusion with respect to the Roman Catholics; and on an understanding that the war should be carried on with adequate vigour." He added that "he should be ready to serve *with* Mr. Perceval on such a basis; but would never again serve *under* him in any circumstances. The sequel was, that in two days afterwards Lord Wellesley received, through the Chancellor, the Prince Regent's acceptance of his resignation, and delivered up the Seals on February 19.

A few days before this, his Royal Highness had addressed to his late lamented brother, the Duke of York, a letter explanatory of his sentiments respecting the servants of the Crown at the present crisis. As a document proceeding from so high a quarter, and of great interest at the time, we subjoin it entire.

LETTER FROM HIS ROYAL HIGHNESS THE PRINCE REGENT, TO HIS LATE ROYAL HIGHNESS THE DUKE OF YORK.

"My dearest Brother,—As the restrictions on the exercise of the royal authority will shortly expire, when I must make my arrangements for the future administration of the powers with which I am invested, I think it right to communicate to you those sentiments which I was withheld from expressing at an earlier period of the session, by my earnest desire, that the expected motion on the affairs of Ireland might undergo the deliberate discussion of Parliament, unmixed with any other consideration.

"I think it hardly necessary to call your recollection to the recent circumstances under which I assumed the authority delegated to me by Parliament. At a moment of unexampled difficulty and danger, I was called upon to make a selection of persons to whom I should entrust the functions of the executive government.

"My sense of duty to our royal father solely decided that choice; and every private feeling gave way to considerations which admitted of no doubt or hesitation. I trust I acted in that respect as the genuine representative of the august person whose functions I was appointed to discharge; and I have the satisfaction of knowing,

that such was the opinion of persons, for whose judgment and honourable principles I entertain the highest respect.

"In various instances, as you well know, where the law of the last session left me at full liberty, I waved any personal gratification, in order that his Majesty might resume, or his restoration to health, every power and prerogative belonging to his crown. I certainly am the last person in the kingdom to whom it can be permitted to despair of our royal father's recovery.

"A new æra is now arrived, and I cannot but reflect with satisfaction on the events which have distinguished the short period of my restricted regency. Instead of suffering in the loss of any of her possessions, by the gigantic force which has been employed against them, Great Britain has added most important acquisitions to her empire. The national faith has been preserved inviolate towards our allies; and if character is strength, as applied to a nation, the increased and increasing reputation of his Majesty's arms will show to the nations of the Continent how much they may still achieve when animated by a glorious spirit of resistance to a foreign yoke. In the critical situation of the war in the Peninsula, I shall be most anxious to avoid any measure which can lead my allies to suppose that I

mean to depart from the present system. *Perseverance* alone can achieve the great object in question; and I cannot withhold my approbation from those who have honourably distinguished themselves in support of it. I have no predilections to indulge—no sentiments to gratify—no objects to attain, but such as are common to the whole empire. If such is the leading principle of my conduct—and I can appeal to the past in evidence of what the future will be—I flatter myself I shall meet with the support of Parliament, and of a candid and enlightened nation.

"Having made this communication of my sentiments in this new and extraordinary crisis of our affairs, I cannot conclude without expressing the gratification I should feel, if some of those persons with whom the early habits of my public life were formed, would strengthen my hands, and constitute a part of my government. With such support, and aided by a vigorous administration, formed on the most liberal basis, I shall look with additional confidence to a prosperous issue of the most arduous contest in which Great Britain was ever engaged. You are authorised to communicate these sentiments to Lord Grey, who, I have no doubt, will make them known to Lord Grenville.

"I am always, dearest Frederick, your affectionate brother, (Signed) GEORGE P. R.

"Carlton House, Feb. 13, 1812.

"P. S. I shall send a copy of this letter immediately to Mr. Perceval."

On the Duke of York communicating these sentiments of the Prince to Lord Grey and Lord Grenville, they replied, "All personal exclusion we entirely disclaim: we rest on public measures, and it is on this ground alone that we must express, without reserve, the impossibility of our uniting with the present Government. Our differences of opinion are too many and too important to admit of such an union. His Royal Highness will, we are confident, do us the justice to remember, that we have twice already acted on this impression; in 1809, on the proposition then made to us under his Majesty's authority; and last year, when his Royal Highness was pleased to require our advice respecting the formation of a new Government. The reasons which we then humbly submitted to him are strengthened by the increasing dangers of the times; nor has there, down to this moment, appeared even any approximation towards such an agreement of opinion on the public interests, as can alone form a basis for the honourable union of parties pre-

viously opposed to each other. Into the detail of these differences we are unwilling to enter."

The Prince Regent, it is evident, had imbibed a practical attachment for the present "system," by no means flattering to those who had condemned it *in toto*; and he clearly did *not* think the present servants of the Crown unworthy of sharing their trust with any of the heads of parties.

On the 19th of March, Lord Boringdon moved in the House of Lords an address to the Regent, beseeching him to form an efficient Administration. He said, "this motion originated entirely in his own views of the state of the country, and particularly Ireland, which he insisted never could be tranquil while Ministers were continued in office, who were determined not only not to recommend, but to resist a fair and dispassionate consideration of the Catholic claims."

The debate was chiefly remarkable for calling up Lord Grey, who wished to explain more in detail the reasons of his noble friend and himself for declining office at the present time. "The existing Administration he must regard," he said, "as formed on the express principle of resistance to the Catholic claims,—a principle loudly proclaimed by the person at the head of it, from the moment he quitted the bar to take a share in

political life up to the present instant; and where he led, the rest were obliged to follow." His Lordship now adverted to other points of difference, "with respect to the disputes with America: though he would go as far as any man in support of our essential maritime interests, yet he should think it necessary to weigh the true value of those interests in dispute, bearing in mind the principle so well expressed by Mr. Burke, 'As we ought never to go to war for a profitable wrong, so we ought never to go to war for an unprofitable right.'" On the subject of the circulating medium of the country, he said also, that "an impassable line of separation existed between him and the present Ministry, with respect to making bank-notes a legal tender. As to the war in the Peninsula, it was his wish that we should not proceed on the present *expensive scale* without having some military authority as to the probable result. But," he added, "the most momentous of all his objections against the present system of Government, was the existence of an unseen and separate influence behind the throne. It was his rooted and unalterable principle," he said, "not to accept of office without coming to an understanding with Parliament for the abolition of this influence."

Our humble duty is to record the facts relating to these interesting discussions; but upon what

plausible ground this renewal of the old conjectures respecting "secret influence" could rest, we have not the hope of divining. The feelings with which the Regent had succeeded to the administration of the regal authority—feelings of preference to the party that had so loudly proclaimed this "secret" of former years, and of evident dislike, not to say aversion, to his present Ministry—were sufficient, it might be thought, to have precluded the possibility of such an influence being supposed in his case:—who was to exercise it?

To the existing Administration the Prince Regent and the country had now, therefore, again turned with confidence; and it was proceeding in its career with increased stability, when it was suddenly deprived of its leader by assassination. Mr. Perceval was shot by a maniac, who, it seems, scarcely knew his person, on the 11th of May, in the afternoon, as he was entering the lobby of the House of Commons. Some conspiracy against the members of Administration generally, was at first suspected, and great consternation was excited by the catastrophe in both Houses, then sitting; but it was soon discovered to be at the utmost an act of bitter private vengeance and disappointment. Bellingham, the assassin, had sustained some heavy commercial losses in Russia, for which he imagined our Government ought to have procured him redress, and he was determined to

sacrifice some conspicuous member of it to his sense of neglect.

We have here only to add, that while the life of this unhappy individual was forfeited to the law, due provision was made by Parliament for the widow and family of his victim—the lamented and most upright Mr. Perceval.

CHAPTER VIII.

Lord Liverpool Premier.—Negotiations that led to this.—Disturbances in the North of England.—Catholic Question.—Orders in Council.—Bill for the relief of Dissenters.—Successes in Spain.—Buonaparte at war with Russia.—Marches to Moscow.—His disastrous retreat.—Election of a new Parliament.—Debates.—Grant to Russia.—Rupture with America.—Marquis Wellesley's attack on Ministers.—Mr. Vansittart's alteration of the Sinking Fund.—Curates' Bill.—East India Company's new charter.—Treaty with Sweden debated.—Lord Wellington invades the South of France.—Battle of Leipsic.—Progress of the war in America.—Subsidies to the Continental Powers.—The Allies invade France.—The Bourbons restored. Lord Grey's motion respecting Norway.—Lord Grenville's on the Slave-trade.—Parliament prorogued.—Visit of the Allied Sovereigns to England.—Debates respecting the War with America.—Peace with America.

No man ever rose to an exalted station by more gradual or more natural steps, than those by which Lord Liverpool attained the Premiership. He had now been in Parliament twenty years, taking in each House successively a leading part in every debate of national importance; and dur-

ing more than half that period in the confidential service of the Crown. In the prime and vigour of his life, he had enjoyed, in the unprecedented changes, external and internal, to which the affairs of the country had been during that momentous period exposed, an unequalled opportunity for experience; had been trained in the practice of the constitution, and fought some of its hardest battles with each variety of its foes: above all, he had imbibed that spirit of patient confidence in a righteous Providence, and his country's good cause, which peculiarly fitted him to take the helm in her present exigency. We have seen him on a memorable occasion tempering his personal ambition by his knowledge of the state of parties, and declining that station: now there was no man, it appeared, so capable altogether of uniting a strong party; while a just and comprehensive view of the public affairs dictated the measures that were most flattering to his ambition.

On the 8th of June his Lordship rose in his place in the House of Lords, and stated to their Lordships that the Prince Regent had on that day been pleased to appoint him first Commissioner of the Treasury, and had given him authority for completing the other arrangements for the Administration as soon as possible.

It is necessary to advert to the circum-

stances which finally determined the mind of the Prince.

On the death of Mr. Perceval, his Royal Highness desired Lord Liverpool to communicate with Lord Wellesley and Mr. Canning on the subject of forming a ministry. He was instructed to state that his Royal Highness was desirous, on the one hand, "of continuing his Administration upon its present basis;" but that he was "also desirous of strengthening it as much as possible by associating to it such persons in public life as agreed most nearly, and generally, in the principles upon which the public affairs had been conducted." That with respect to official arrangements, Lord Castlereagh, it was understood, would retain his existing place in the Government and the House of Commons; that the colleagues of Lord Liverpool were desirous that he should be appointed to the office of First Lord of the Treasury; and that this desire was known to the Prince Regent when his Royal Highness commanded Lord Liverpool to undertake this communication.

Lord Wellesley having inquired at some length into the future plans of the Administration, declined *this* overture, principally on the ground of Lord Liverpool's mind being said by him to be unchanged on the subject of concession to the Catholics: "while he deemed it," he said, "but his duty towards the Prince Regent to declare,

that the considerations which induced him on the 19th of February to resign the station which he had the honour to hold in his Royal Highness's service, had acquired additional force since that time, and would constitute an insuperable obstacle to his acceptance of any station in the present Administration."

Mr. Canning declined the overture on similar grounds; but with strong expressions of personal regard for Lord Liverpool. "I cannot deny myself," he said, "the satisfaction of adding, that the manner of your communication with me has entirely corresponded with the habits and sentiments of a friendship which our general concurrence on many great political principles has strengthened, and which our occasional differences have in no degree impaired."

The pre-eminence thus given to the particular sentiments of Lord Liverpool on the Catholic question, induced his Lordship to reply to the communication of Lord Wellesley in the following important letter.

LORD LIVERPOOL TO THE MARQUESS WELLESLEY.

"Fife-house, May 19, 1812.

"My dear Lord,

"After the receipt of the paper which you sent to me in the afternoon of yesterday, I should

certainly have felt it to be unnecessary and fruitless to trouble you with any farther correspondence, if I were not desirous to correct the misapprehension into which you appear to have fallen, respecting my opinions and those of my colleagues upon the Roman Catholic question.

" In the communication which passed between us on Sunday, as well as that which I previously had with Mr. Canning, I certainly stated my opinions upon the Roman Catholic question to remain unchanged; and that I was not aware that those of my colleagues had undergone any change.

" *With respect to myself individually, I must protest against its being inferred from any declaration of mine, that it is, or ever has been my opinion, that under no circumstances it would be possible to make any alteration in the laws respecting the Roman Catholics.*

" Upon the last occasion on which the subject was discussed in Parliament, I expressly stated that circumstances might arise, in which, in my judgment, some alteration in those laws would be advisable. I have always been desirous of hearing the specific proposition which should explain distinctly, what part of the existing securities it was intended to repeal—what part it was intended to preserve—and what were the new securities which it had been so often declared must be sub-

stituted in the place of some of those which are at present in force.

"I have never heard any satisfactory explanation on this point.

"I will fairly own, that in the present state of the opinions and feelings of the Roman Catholics, I do not believe such a project to be practicable, consistently with the attainment of the avowed objects of really satisfying the Roman Catholics, and of affording an adequate security to the established church and constitution.

"Entertaining this opinion, I have felt it to be my duty to continue to resist Parliamentary inquiry on that subject: which, in my judgment, could be productive of no other effect than that of alarming the Protestants on the one hand, and deluding and deceiving the Roman Catholics on the other.

"With respect to the opinions of my colleagues, there are some who entirely agree with me in the view which I have taken of this question; but I am sure it must be known to you from discussions at which you have been present, that there are others who have always entertained and avowed different opinions from those professed by me, upon some parts of this subject.

"You must recollect that considerations of a very high importance, but which might be only temporary in their nature, induced us all, up to a

very late period, to be decidedly of opinion that it was not proper that under such circumstances the measure should be entertained.

" You may be of opinion that since the month of February last these considerations have ceased to be in force; but they are still regarded by others as not having lost their weight. Besides the consideration to which I have referred, the conduct and temper which the Roman Catholics have been induced to manifest,—the principle upon which the question has been brought forward,—the circumstances of Europe at this time, give rise to objections which are felt in a greater or less degree by different persons.

" I have thought this explanation due to my colleagues and to myself.

" In one point we are all agreed, that this is not the moment at which the question ought to be entertained with a view to any immediate practical consequence. I am aware that, in this sense of our duty, our opinions may be at variance with yours; but it is material that these opinions should not be misunderstood, or subject to the interpretation to which my silence might render them liable, if I had not returned some answer to that part of your paper.

" Upon the subject of the manner in which the war in the Peninsula has been managed, I forbear entering into any particulars at present; but I

think it material to observe, with respect to my declaration, that since your resignation it had been found practicable to make some extension of the military efforts in the Peninsula; that this has not arisen from any means which were in existence at the time when you were in office, and which there had been then any indisposition or objection to direct to that object, but it has grown out of events which have subsequently occurred, and which may place at the disposal of Government means which were at that time unavoidably applied to another service.

"As this letter is merely explanatory, I will not give you the trouble of returning any answer to it; but I am sure you will see the justice and propriety of considering it as a part of the correspondence which has passed between us on the subject to which it relates.

"I am, &c.

(Signed) LIVERPOOL."

"Marquess Wellesley, K. G."

The Prince Regent, on the failure of the plan, commissioned the Marquess Wellesley to endeavour to combine a ministry on an extended basis; and that noble Lord accordingly addressed, in his turn, the Earl of Liverpool as the organ of his colleagues on the subject; and Lords Grey and Grenville on the part of their friends.

The basis on which this overture was made, and its issue, will appear from the following papers published at the time.

MINUTE OF MR. CANNING'S COMMUNICATION TO THE EARL OF LIVERPOOL.

"Fife House, May 23rd, 1812.

"The Prince Regent having laid his commands on Lord Wellesley to form a plan of an Administration, to be submitted for his Royal Highness's approbation, Mr. Canning was requested by Lord Wellesley, (as the channel of communication thought likely to be most agreeable to Lord Liverpool,) to inquire of Lord Liverpool, whether there would be a disposition on the part of Lord Liverpool, and of his colleagues, or any of them, to entertain any proposal which should be made to them for forming part of such an administration.

"The principles upon which the administration was intended to be formed, were stated to be,

"1st. The taking into early and serious consideration of the Executive Government, the state of the laws affecting the Roman Catholics, with a sincere and earnest desire to bring that important question to a final and satisfactory settlement.

"2ndly. The prosecution of the war in the Peninsula with the best means of the country.

"It was stated that there would be the strongest

wish to comprehend in the arrangement, without any individual or party exclusion whatever, as many as possible of such persons as might be able to agree in giving their public service to the country on these two principles.

"With respect to the distribution of offices, it was stated that nothing of any sort was decided, or stipulated; but that every thing would be to be arranged to the honour and satisfaction of all parties."

LORD LIVERPOOL TO MR. CANNING.

"Fife House, May 23rd, 1812.

"My dear Canning,

"I have communicated to my colleagues the memorandum which I received from you this afternoon.

"They do not think it necessary to enter into any discussion of the principles stated in that memorandum, because they all feel themselves bound, particularly after what has recently passed, to decline the proposal of becoming members of an administration to be formed by Lord Wellesley.

"Believe me, &c.

LIVERPOOL."

On the 3rd of June, Lord Wellesley stated in the House of Lords, that he had resigned the commission with which the Prince had honoured him; attributing the failure of his negotiation to

" dreadful personal animosities, and the most terrible difficulties, arising out of questions the most complicated and important."

Lord Liverpool disclaimed, for himself and his colleagues, the personal animosities alluded to.

Another and equally abortive effort was, however, to be made, to include the noble Earl and Baron at the head of the Whigs; the task of the arrangement being committed to Earl Moira.

This negotiation broke off on the question of some appointments in the Royal Household. The noble Lord in question asked, " whether the full liberty of arrangement with which Lord Moira represented himself to be invested, extended to those great offices of the household, which have been usually included in the political arrangements made on a change of administration, intimating their opinion that it would be necessary to act on the same principle on the present occasion."

Lord Moira answered, that " the Prince had laid no restriction upon him in that respect, and had never pointed in the most distant manner at the protection of those officers from removal; that it would be impossible for him, (Lord Moira,) however, to concur in making the exercise of this power positive and indispensable, in the formation of the administration, because he should deem it on public grounds peculiarly objectionable."

A decided difference of opinion on this point

being thus expressed, the conversation terminated, and with it all farther efforts at the arrangement proposed.

Lord Yarmouth, the principal person in the Regent's household, afterwards affirmed, that it was the intention of himself and his friends to resign their situation previously to the entrance of the proposed new administration upon their offices; and that they had taken means to make their intention known in those quarters whence it was very likely to reach the ears of the persons most interested. Mr. Ponsonby, on the other hand, asserted for himself and the two Lords, that they had never heard one word of such intention, nor had they the remotest idea that it existed.*

* Mr. Moore, on the subject of these negotiations, insinuates most groundlessly the charge of insincerity in a high quarter, and at once resigns the honour of Sheridan. His words are, "It requires but a perusal of the published correspondence, in both cases, of the attempt to bring the Whigs this year into power, to convince us that, at the bottom of all these evolutions of negotiation, there was any *thing* but a sincere wish that the object to which they related should be accomplished. The Mareschal Bassompiere was not more afraid of succeeding in his warfare, when he said, 'Je crois que nous serons assez fous pour prendre la Rochelle,' than was one of the parties, at least, in these negotiations, of any favourable turn that might inflict success upon its overtures. Even where the Court—as in the contested point of the

On the 7th of June, Mr. Stuart Wortley brought forward a motion in the House of Commons, re-

Household,—professed its readiness to accede to the surrender so injudiciously demanded of it, those who acted as its discretionary organs knew too well the real wishes in that quarter, and had been too long and faithfully zealous in their devotion to those wishes, to leave any fear that advantage would be taken of the concession. But, however high and chivalrous was the feeling with which Lord Moira, on this occasion, threw himself into the breach for his Royal Master, the service of Sheridan, though flowing partly from the same zeal, was not, I grieve to say, of the same clear and honourable character.

"Lord Yarmouth, it is well known, stated in the House of Commons, that he had communicated to Mr. Sheridan the intention of the Household to resign, with the view of having that intention conveyed to Lord Grey and Lord Grenville; and thus removing the sole ground upon which these noble Lords objected to the acceptance of office. Not only, however, did Sheridan endeavour to dissuade the noble Vice-Chamberlain from resigning, but, with an unfairness of dealing which admits, I own, of no vindication, he withheld from the two leaders of Opposition the intelligence thus meant to be conveyed to them; and, when questioned by Mr. Tierney as to the rumoured intentions of the Household to resign, offered to bet five hundred guineas that there was no such step in contemplation.

"In this conduct, which he made but a feeble attempt to explain, and which I consider as the only indefensible part of his whole public life, he was, in some degree no doubt, influenced by personal feelings against the two noble Lords, whom his want of firmness on the occasion, was so well calculated to thwart and embarrass. But the main motive of

specting the failure in the negotiations for a new Administration, prefacing it with some severe censures on the conduct of Lords Grey and Grenville, in putting an end to the treaty on account of a difference concerning the Household. He then moved for an address to the Prince Regent, expressing regret that their expectations had not been realized, and entreating that his Royal Highness would without delay form such an administration as might be entitled to the support of Parliament and the confidence of the nation.

It was in the debate on this motion that the above circumstances were first made public. The motion, however, was negatived without a division.

We should here, perhaps, notice that this gentleman had, so far back as the 21st of May, carried a resolution of the House of Commons for an address to the Regent, praying him to take such

the whole proceeding is to be found in his devoted deference to what *he knew to be* the wishes and feelings of that Personage, who had become now, more than ever, the mainspring of all his movements,—whose spell over him, in this instance, was too strong for even his sense of character; and to whom he might well have applied the words of one of his own beautiful songs.

"Friends, fortune, *fame itself* I'd lose,
To gain one smile of thee!"

steps as might be the best calculated to form an efficient administration.

The motion was warmly debated as a trial of strength between the different parties; an attempt to set it aside by the orders of the day being defeated by 174 to 170. Mr. Wortley next moved, that the address should be presented by such members as were of the Privy Council: when, to his great surprise, it was rejected by a majority of two. At length it was agreed upon, that it should be presented by Lord Milton and himself. The answer of the Prince Regent was, that "he would take the address into his serious and immediate consideration."

And thus, at the hazard of some prolixity, have we conducted the reader through the various negotiations that ended in Lord Liverpool's final appointment to the Premiership.

His colleagues at this time were,

IN THE CABINET.

Earl of Harrowby—Lord President of the Council.
Lord Eldon—Lord High Chancellor.
Earl of Westmoreland—Lord Privy Seal.
Right Hon. Nicholas Vansittart—Chancellor and Under-Treasurer of the Exchequer.
Lord Viscount Melville—First Lord of the Admiralty.
Lord Mulgrave—Master-General of the Ordnance.
Lord Viscount Sidmouth—Secretary of State for the Home Department.

Lord Viscount Castlereagh—Secretary of State for Foreign Affairs.

Earl Bathurst—Secretary of State for the Department of War and the Colonies.

Earl of Buckinghamshire—President of the Board of Control for the Affairs of India.

Marquess Camden.

NOT IN THE CABINET.

Viscount Palmerston—Secretary at War.

Earl of Clancarty—President of the Board of Trade.

Right Hon. F. Robinson—Vice-President of the Board of Trade, and Treasurer of the Navy.

Lord Charles Somerset, Right Hon. Charles Long—Joint Paymaster-general of the Forces.

Earl of Chichester, Earl of Sandwich—Joint Paymaster-general.

Richard Wharton, Esq. Sir Charles Arbuthnot, Knt. Secretaries of the Treasury.

Sir William Grant—Master of the Rolls.

Sir Thomas Plumer—Attorney General.

Sir William Garrow—Solicitor General.

IN THE MINISTRY OF IRELAND.

Duke of Richmond—Lord Lieutenant.

Lord Manners—Lord High Chancellor.

Right Hon. Robert Peel—Chief Secretary.

Right Hon. W. Fitzgerald—Chancellor of the Exchequer.

The restricted demand for our manufactures abroad still conspired with the adoption of the new machinery, to leave unemployed large numbers of workmen in the northern districts: and

from February to the middle of the summer, great distress prevailed. The rioters at last manifested a disposition to seize arms, and to organize themselves, which the Ministry felt it their duty to suppress.

On the 27th of June, therefore, a message was sent to each House by the Prince Regent, informing them, that he had given orders that copies of the information received relative to certain violent and dangerous proceedings carried on in several counties of England should be laid before them, relying on the wisdom of Parliament to take proper measures for the restoration of tranquillity;—and Viscount Sidmouth, the new Secretary for the Home Department, moved an address in the Lords, promising to concur in the necessary measures. Lord Stanhope said, that he had no objection to the words of the address, but wished there had been a farther explanation of the measures intended, which were left vague and ambiguous; and he proposed adding the words "not violating the principles of the Constitution."

The Earl of Liverpool contended that the addition was wholly unnecessary; and after some farther conversation it was rejected without a division, and the address, and afterwards a secret committee to investigate the state of the northern counties, were agreed to.

This committee very clearly established the

military organization of the rioters; several deliberate murders, and attempts at murder, in the sight of the populace, who protected the assassins; the administration of an oath of union and secrecy, &c. Ministers, therefore, brought in and carried a bill to make a more effectual provision to keep the rioters from possessing themselves of arms; to guard against the effect of tumultuary meetings, and to give more effectual power, and more extensive jurisdiction to the magistrates of the disturbed districts.

The topics of principal importance urged in Parliament during the short remainder of the session were, the Catholic Question, moved in the Commons by Mr. Canning, and in the House of Lords by the Marquess Wellesley; and the Orders in Council.

On the 22d of June Mr. Canning carried his resolution, "That the House will early in the next session take into consideration the state of the laws respecting the Catholics." This was supported by Lord Castlereagh, who said, that "the obstacles that formerly existed, having been, in his opinion, removed, the time was now arrived when it was highly proper to take the claims of the Catholics into consideration." On this joint recommendation the motion was carried by a majority of 225 to 106 members. On a similar resolution being proposed in the Upper House by Marquis Wellesley, the previous question was

put by the Lord Chancellor, and carried by 126 to 125 peers.

The Premier on this occasion felt it his duty to be very explicit. He said, that "with respect to the general question before the House, there were two ways in which it should be considered; first, with reference to its practicability, and secondly, with respect to its expediency. He should conceive himself acting in a manner unworthy his character if he afforded support to a motion, without clearly seeing his way as to its leading to a satisfactory conclusion. On the first of these grounds he should always stand. He would never meet a great question with little shifts and expedients. It should be met on great and general principles. If it could be so met, he would be the last man in the House to prevent such a consideration of the question.

"But when taken upon great and general principles, if he could not see his way to a safe conclusion, he should not be acting justly and manfully if he did not avow that sentiment, and act accordingly. Were the religious opinions of the Catholics the only obstacle, those should make no difference whatever. But the oath of supremacy, so far as it included an abjuration of all foreign jurisdiction, spiritual as well as temporal, he considered as a fundamental part of the settlement of the government at the Revolution. It was

then laid down as an essential principle, that the Protestant government was to be firmly established in these realms. He conceived this to be, that the power of the state was to be Protestant, and to be so maintained for the benefit of all descriptions of its subjects. The arguments of his noble friends were not fairly stated by the noble Lords opposite. It was contended by his noble friend only, that in the present respective situations of the French Government and the Court of Rome, such a state of things might arrive as would render the Papal power, so influenced, as dangerous as ever to this country.

"If any one political principle was more firmly established than another, he took it to be this:—that the subjects of a state should own no allegiance out of that state. He could see no beneficial results from the motion of his noble friend. It was a maxim of his political life—a maxim confirmed by all he had ever heard, read, or observed, that with respect to a great constitutional question, if a stand were to be made, it should be made *in limine*. Therefore, as he saw not clearly any prospect of a practical conclusion from the present proposition, he thought the true way, in point of principle, and the most manly way, was to resist it in the first instance. He would even go farther to state, that if he were determined to make concession, he would still

oppose the motion, because he was against making any great change in the laws, without knowing what that change was to be. He agreed with his noble friend opposite, that it was right to consider this question as a whole; and he hoped that whatever might be done on the subject would be done at once: it was impossible to form a just estimate of the character of a measure proposed for adoption, without knowing the whole extent of what was to be done."

The inquiry respecting the effect of the Orders in Council was instituted on the motion of Mr. Brougham, and conducted by him with a degree of ability and extensive acquaintance with the subject universally acknowledged. Some of the colleagues of Lord Liverpool clung to these measures, but he was at this time fully prepared to relinquish a part of our war policy, which must ever embroil us with neutral powers, and which, if it retaliated on the enemy all he was capable of feeling from it, fell far more fatally on our own extended commerce.

Mr. Brougham, in a very able speech, moved in the House of Commons, June 16th, an address to the Prince Regent, "beseeching him to recall or suspend certain Orders in Council, and to adopt such measures as might tend to conciliate neutral powers."

Lord Castlereagh, after deprecating "a preci-

pitate decision," intimated, that Government had in view the adoption of conciliatory measures respecting America. The motion of Mr. Brougham was in consequence withdrawn; and on the 23rd of June appeared a proclamation announcing the suspension, from the 1st of August following, of the Orders in Council of January 1807 and April 1809, as far as regarded American property, on the condition that America should, on the notification of the same, rescind or suspend her prohibitory decrees. Unfortunately, however, this concession was too late to prevent hostilities with the United States.

Buonaparte, anticipating a rupture with Russia, thought proper again this spring to renew his overtures for peace with England. His Minister for Foreign Relations, the Duke de Bassano, addressed a letter to Lord Castlereagh, dated the 17th of April, in which, after charging the continuance of the war, upon England he proposed to treat for peace on the basis of acknowledging the integrity of Spain, Portugal, Sicily, and Naples; each of the principals in the war retaining her conquests. The reply of our Government requested an explanation of the terms "actual dynasty of Spain," observing, if it was meant to describe that of "the brother of the head of the French Government," the obligations of good faith would not permit the Prince Regent to treat on

any such basis: no reply was returned to this inquiry.

Lord Holland noticed, in the House of Lords, July 17th, the appearance of this correspondence in the foreign papers; and asked Lord Liverpool if Ministers acknowledged its correctness, and would grant any farther information on the subject. He also commented on the apparent reluctance of Government to acknowledge the French Emperor as such.

Lord Liverpool, in reply, admitted "that the correspondence published was essentially correct, and had no objection to produce the papers, if called for. With respect to the recognition alluded to, Government had acted," he said, "upon the general principle that such acknowledgments were not to be made gratuitously, but as objects of stipulation for an equivalent. With respect to the answer, he was persuaded that there were few in the country who would not agree that if the acknowledgment of Joseph Buonaparte as King of Spain were made a necessary preliminary by the French Government, no negotiation could be entered into by this. It had therefore been thought requisite to call for an explicit declaration on that head in the first instance. No communication in reply had been received, and there the matter rested."

An unsolicited concession of Lord Liverpool to

the Dissenters marked this era of his government.

Some difference of construction had arisen respecting the right of their teachers to qualify under the existing Acts of Parliament: a bill was now, therefore, introduced in the House of Commons by Lord Castlereagh, which Mr. W. Smith, the organ of the Dissenters, described as "the most complete act of toleration which had hitherto been passed." It removed the discretion of magistrates with regard to granting certificates of qualification, and required no other oath to be taken than that of allegiance. Our Premier farther explained its nature, on moving the second reading of the bill in the House of Lords, on July the 23rd.

He observed, that "the object of Government could not be effected without repealing certain Acts which remained on the statute-book, but which no one would now think of putting in force. Among these were the Conventicle, and the Five-mile acts. The latter was entirely abrogated: some parts of the former were retained in another shape. In order to combine the most ample toleration with the requisite securities, it was proposed in the present bill to give to places of worship notoriety and publicity, and to require from the preachers and teachers of the same some test or security in the oaths taken by them. Meetings for worship, in which the persons as-

sembled did not exceed twenty above the family of the occupier of the house, were exempt from any restriction. Others were required to be registered, and their meetings were to be held with unbolted doors. The preachers of congregations were to take the required oaths at the sessions, but were not required to take them antecedently to their exercising the duties of teaching and preaching."

Lord Sidmouth, on this occasion, objected to the extension of the number allowed at unregistered meetings; and that no qualifications were required of Dissenting teachers. The bill passed with some slight amendments suggested by the Lord Chancellor. Parliament was prorogued on July the 30th, by commission, and dissolved on the 29th of September.

The transactions in Spain and in the north of Europe now form gratifying episodes in our narrative. The campaign in the Peninsula was opened by the fall of Ciudad Rodrigo on the 19th of January, and that of Badajos early in April; both were splendid achievements, performed with a well-timed celerity; but the former cost the valuable life of Major-general Mackinnon, and the latter not less than 5000 rank and file. Lord Wellington, thus secure in the south, now directed his attention northward. Sir Rowland Hill stormed and destroyed the French entrenchments at Al-

marez; and he himself advanced in June on Salamanca. The superior numbers and fine position of the enemy here compelled his Lordship to be content, until the latter end of the following month, with occupying the town and watching the French movements; but on the 22nd, observing their line weakened on the left, the British General detached Major-general Pakenham with the third division of the army to attack them in that direction, while another division, under General Pack, advanced on the French centre. After great exertions on both sides, the French gave way in each of these directions; night coming on interrupted the battle, but the contest was renewed in the morning, and the rear-guard of the enemy fell into our hands. The British took altogether between 6000 and 7000 prisoners, among whom were five generals; eleven pieces of cannon, six stand of colours, and two eagles. About 3000 killed and wounded are supposed to have been lost on each side. The immediate consequences were, the advance of Lord Wellington on Madrid, the abandonment of the siege of Cadiz, and the evacuation of the whole of the south of Spain by the enemy. His Lordship reached the capital, King Joseph hastily retreating to Almanza, on the 12th of August: on the 1st of September, he advanced to Valladolid, and on the 17th drove the French before him through Burgos. But the

enemy was now concentrating a very large force: the castle of Burgos held out; and on the 20th of October the allied army retired to the west, on a line parallel to the Douro. Rejoining General Hill at Salamanca, Lord Wellington still found Soult's position too strong for attack, and retreat to the frontiers of Portugal became indispensable. Thus closed, on the 20th of November, this brilliant campaign.

The French Emperor, in the mean time, was destined to receive in the north of Europe a yet severe check.

Russia declared war against him; and by an ukase of the 12th of March, ordered a levy of two out of every five hundred of her immense population. She concluded peace at the same period with Great Britain and with Turkey. On the 8th of May, Buonaparte left Paris for Mentz; in the course of his march, he met his father-in-law, the Emperor of Austria, and the King of Prussia, at Dresden: on the 16th of June he passed the Vistula, and on the 22nd, inspected the banks of the Niemen. On that day, Murat, King of Naples, advanced at the head of the French cavalry, within six miles of this river.

On the 1st of July, a Polish diet was opened at Warsaw, under the sanction of the French Emperor, which, resolving itself into "a general confederation" of that country, announced the king-

dom of Poland and the Polish nation re-established. It was the last puppet-kingdom Napoleon was permitted to exhibit. He now advanced rapidly to Wilma, to Viasma, and to Moscow; divisions of his army receiving one or two checks: but the Russian plan at this time was to risk no general engagement.

This was the crisis of Napoleon's fate. Moscow was abandoned by 200,000 of its inhabitants, 40,000 of whom joined the Russian army. On the approach of the French, the city was discovered to be on fire in several places. It was the torch that lighted Europe to her deliverance. The assemblage of fresh troops round Moscow, and the approach of winter, urged Napoleon at first to make overtures for negotiation; but the Russian generals replied, that they could treat with no enemy on their country's soil. They even refused to forward the addresses of Buonaparte to the government: he, therefore, set about a retreat in good earnest. Its horrors have been unequalled in the history of modern warfare: at Viasma, where a stand was for a short time made, winter came on in one night, with a prodigious fall of snow. Buonaparte lost 30,000 of his horses in twenty-four hours, and was obliged to abandon 500 pieces of cannon. Out of 40,000 cavalry, he did not save 3000.

Napoleon fled from Wilma towards Warsaw

and Paris on the 7th of December: and arrived in his capital, the herald of his own overthrow.

These events became known in England during the bustle of an election; and largely contributed to strengthen the public confidence in our war policy. They were counterbalanced in part, it is true, by the tidings of actual hostilities having broken out with America: and her successes, with vessels of superior strength, in one or two of the first conflicts.*

But on the 38th of November the Prince Regent delivered in the new Parliament his first speech from the throne, reviewing the late

* The Guerriere frigate was captured on the 19th of August, 1812, by the Constitution, American frigate, and the Macedonian on the 25th of October by another American frigate, called the United States. Captain Lambert also, of the Java, a most brave and intelligent seaman, was obliged, after a dreadful conflict, on the 29th of December, to strike to the Constitution. "In this, as in the preceding actions, the real cause of failure lay in the disproportion of strength, the Guerriere having only 263 men, her antagonist 476; the Macedonian only 300, the United States 478. Even the Java, though a large frigate, had only 367 men, her opponent 480. The inequality in weight of metal was still greater, each of these American frigates having been originally intended for a ship of the line. No sooner did the two nations meet on an equal footing in the case of the Chesapeake and Shannon (June 1, 1813), than the superiority was found to rest with us."—*Supplement to Encyclopedia Britannica.*

triumphs in the Peninsula, and on the Continent of Europe, in terms of high eulogy. He spoke with regret of a declaration of war by the United States; and noticed the defeat of their late attempt on Canada; but said that his efforts would still be directed to the restoration of peace.

The Marquess Wellesley, while he would not move an amendment to the address, commented with considerable severity on the contents of the speech. Contending that the successes of the last campaign in Spain, imperfect as they were, had been felt in Russia as the salvation of that empire, he drew the inference, that whilst France was engaged in the north, we ought to have redoubled our efforts in the opposite quarter, and have strained our resources to the utmost extremity. "I wish, my Lords," he said, "we would fix in our minds some definite idea of the object of our exertions in the Peninsula. My own idea has always been, that the true object of the Spanish contest was the expulsion of the French forces from Spain. This is the clear practical object at which we ought to aim. With this, then, in our view, let us inquire what has been done. I have said elsewhere, that it was my opinion that the war in the Peninsula had not been carried on with adequate vigour for this purpose." The noble Marquess then went on to a critical examination of the last campaign in

Spain, in which he attempted to show that the plans of his distinguished relative had been continually cramped by a deficiency of strength, that supplies were scanty and tardy, that co-operation was feeble and ill-directed, and that the system adopted by Ministers was "timid without prudence, narrow without economy, profuse without the fruits of expenditure, and slow without the benefits of caution."

The Earl of Liverpool on this occasion remarked, that "it was extremely easy for the noble Lord to sit down in his closet, and wish for, or imagine, a particular effort of any given magnitude; but must not every exertion depend on the applicable resources of the country, and be proportioned to the demand made upon it from other quarters? He desired to know what additional exertions could have been made. They had, in effect, grown with the progress of the war. Three or four years ago it would not have been thought practicable to make those efforts in the Peninsula, which the country had recently witnessed. He then made the following statement; that, independently of the force required for the maintenance of our Indian empire, our colonial possessions, and our domestic defence, we had, on the 25th of June, in Sicily, the Mediterranean, and the Peninsula, a force of 127,000 men, of which the British troops (including the

Germans) amounted to 91,000, and the Portuguese to 36,000. In June last, Lord Wellington had under his command 58,000 British troops, exclusive of Portuguese. Since the 24th of December last, not fewer than 20,000 men, and 7000 horses, had been conveyed to the Peninsula. He said farther, that never had any requisition been made by Lord Wellington that had not been complied with. Lord Liverpool made observations on some other points in which the Marquess had formed objections to the speech; and with respect to the omission of mentioning the Catholic Question, he acknowledged that for his part he had not been able to see his way to any satisfactory adjustment."

The thanks to Lord Wellington for his services were accompanied at this time with a grant of 100,000*l.* to him "to be laid out in land."

On the 18th of December, the Premier had the satisfaction of calling the attention of the House of Lords to a message of the Regent, recommending the grant of a pecuniary relief to the subjects of his Majesty's "ally," the Emperor of Russia. In his introductory speech he stated the circumstances of the French invasion of Russia, and the system of defence adopted by the government of that country; an essential part of which was the sacrifice of habitations and property, that the enemy might be deprived of the advantage of pos-

sessing them. Besides the destruction of their ancient capital, Moscow, which he represented as a voluntary act on the part of the inhabitants; a number of towns and villages had shared the same fate, by which very great sufferings had been brought on the people, and, as the purposes of the invasion had been to strike a deadly blow at the resources of this country, our gratitude was engaged to contribute to their relief.

Lord Holland, though he doubted on some grounds the expediency of the grant, would not on this occasion oppose it, "principally because he would not have it imagined that any member of that House could be insensible to the merits or the sufferings of the Russians:" and £200,000 were ultimately voted them.

In the Commons, while this measure was approved by Mr. Ponsonby; Mr. Whitbread and Sir Francis Burdett opposed it. Mr. Wilberforce contended that there were occasions when generosity and sympathetic feeling became nations as well as individuals, and this was one of them.

After the Christmas recess, Ministers presented to Parliament a summary of the causes of our rupture with America, and a declaration of the Prince Regent on the subject, dated January 9th. This contended for the legality of our naval blockades; that the neutral trade of Great Britain could never be admitted by her to be a public

crime, the commission of which can expose the ships of any power to be denationalized. "She can never admit," it added, "that she can be debarred of her right of just and necessary retaliation, through the fear of eventually affecting the interest of a neutral; or that, in the exercise of the undoubted and hitherto undisputed right of searching neutral merchant-ships in time of war, the impressment of British seamen, when found therein, can be deemed any violation of a neutral flag."

The declaration finally attributed the origin of the war to the strong partiality of America for France. It was answered by the usual addresses, pledging Parliament to support the war. "From this time forward," says a writer who exhibits no general partiality for Lord Liverpool's measures, "the impartial narrator finds it his duty to transfer the charge of aggression from England to America. We had now a Minister aware of the evil tendency of our Orders in Council, and prepared to make reasonable concessions to the Americans; while they, heated by the contest, and attributing the change to the dread of losing Canada, refused our offers of accommodation."*

On the 25th of February, the discussion of the

* Supplement to the Encyclopedia Britannica, art. GREAT BRITAIN.

Catholic claims was brought on in the House of Commons by Mr. Grattan, who carried a motion for referring them to a committee of the whole House, by 264 votes against 224. On the 30th of April, Mr. Grattan introduced a bill for the removal of the Catholic disabilities, which encountered little opposition in the first and second reading; but on its passage through a committee, the opposition of the Right honourable the Speaker proved fatal to the claim for introducing the Catholics into Parliament, and the measure was abandoned.

On the 12th of March, the Marquess Wellesley opened another formal attack on the measures of Ministers with regard to Spain. He stated the object of his inquiry to be, whether the Ministers had adequately managed the resources of the country during the last year. "The object of our policy," he said, "was to admonish those nations which required our assistance, that they had only to assert their independence in order to obtain it. The hope of Europe lay in the exertions of Spain and Portugal, aided by the British arms. It was perfectly known to his Majesty's Ministers, that, as early as April 1811, Russia was laying the foundation of the great effort she has made; and Prussia and Austria were then desirous of asserting their independence, but did not dare to do it. The situation of Sicily also,

through the wise conduct of Lord William Bentinck, was become such as to set at liberty the British force by which it was held, to co-operate in the common cause.

" On the opening of the campaign in that country, our situation became totally different from what it had been at any time before since the commencement of the war. Ciudad Rodrigo and Badajos were reduced, and these advantages were accompanied with a total failure in the means, and relaxation in the efforts of the French. The British system therefore should have been, to have had a force able to maintain active operations in the field, and another competent to keep in check the main body of the French army." He endeavoured to show, that in every instance in which the campaign had failed, and the expectations from success been frustrated, it was owing to the insufficiency of the means afforded to the General. He contended that if when he entered Madrid, he had possessed the means of keeping Marmont in check, he might have pursued Joseph, and united with the English army at Alicant; but he was obliged again to turn northwards. As to the siege of Burgos, if its success was important, and its failure was through want of means, whose was the fault? Here was again ground for inquiry.

Earl Bathurst replied, by contending that Lord

Wellington had voluntarily expressed his satisfaction with the conduct of Administration during the last campaign; but admitted that this alone was not a sufficient reason against the proposed inquiry. He then went to an examination of the arguments of the Marquess; and contended that the campaign had powerfully aided the common cause; that during the course of the year, very nearly the number of troops for which the Marquess had expressed a desire, had been sent to the Peninsula, and that, from the disturbed state of this country, more could not have been spared.

Lord Grey supported the statements and reasoning of Marquess Wellesley.

The Earl of Liverpool observed, "that of all the motions which he had heard in that House, the present rested on the slightest grounds, nor did he ever hear a case for inquiry more weakly made out. He asserted that the campaign was the most brilliant achieved by the British arms during a century. He asked what would have satisfied us in January 1812, as the result of the impending campaign? and was it not more successful than could have been expected by the most sanguine?" He then adverted to the particulars which had before been touched upon; and added, "that the great object to which they had been looking was, that the whole force of Spain should be placed under the command of one

individual, who should be the British chief-commander, which had been accomplished by the events of this campaign. He denied the possibility of sending out the force required by the noble Lord at the time when he stated it to be necessary; and affirmed that we had upon the Peninsula a larger force than could ever have been expected, and that a greater would only have been an incumbrance, unless the means of supplying it were at hand; and that they were not, was no fault of the Ministers."

The Earl of Darnley supported the motion; after which a division took place, in which there were: contents, 39; non-contents, 115: majority against the motion, 76.

This spring produced Mr. Vansittart's important alteration in the operations of the Sinking Fund. Lord Liverpool supported the second reading of the Bill in the Lords. His arguments corresponded with those of the Chancellor of the Exchequer, that the bill, while it repealed the act of 1802, was strictly in the spirit of Mr. Pitt's original measure: that it would be a breach of faith to the national creditor, if the fair construction of that act, the act of 1792, were not adhered to; but it was no breach of faith to do away with the conditions of the act of 1802.*

* It was declared by the new act, that, "as the Sinking Fund, consolidated in 1802, had redeemed 238,350,143*l.* 18*s.* 1*d.* ex-

The Earl of Harrowby, with the concurrence of his colleagues, introduced in March his bill for

ceeding the amount of the debt in 1786, by 118,895*l.* 12*s.* 10½*d.*, a sum of capital stock equal to the total capital of the public debt, existing on the 5th of January 1786, viz. 238,231,248*l.* 5*s.* 2¾*d.* had been satisfied and discharged; and that in like manner, an amount of public debt equal to the capital and charge of every loan contracted since the said 5th of January, 1786, shall successively, and in its proper order, be deemed and declared to be wholly satisfied and discharged, when, and as soon as a farther amount of capital stock, not less than the capital of such loan, and producing an interest equal to the dividends thereupon, shall be so redeemed or transferred." It was also resolved, that "after such declaration as aforesaid, the capital stock purchased by the Commissioners for the reduction of the National Debt, shall from time to time be cancelled; at such times, and in such proportions, as shall be directed by any Act of Parliament to be passed for such purpose, in order to make provision for the charge of any loan or loans thereafter to be contracted."

It was farther resolved, that, "in order to carry into effect the provisions of the Acts of the 32d and 42d of the King, for redeeming every part of the National Debt within the period of forty-five years from the time of its creation, it is also expedient, that in future, whenever the amount of the sum to be raised by loan, or by any other addition to the public funded debt, shall in any year exceed the sum estimated, to be applicable in the same year to the reduction of the public debt, an annual sum equal to one-half of the interest of the excess of the said loan or other addition, beyond the sum so estimated to be applicable, shall be set apart out of the monies composing the Consolidated Fund of Great Britain, and shall be issued at the receipt of the Exchequer to the Governor and Company of the Bank of England, to be by

the augmentation of the salary of Curates; when some little jealousy of this interference of Government was exhibited by one or two Right reverend Prelates. In a committee on the bill on the 29th, the Bishop of London opposed the general character of its enactments, and moved an amendment to fix the maximum of a curate's salary, at the discretion of the bishop, at one hundred pounds: the two Archbishops, however, prevailed on the Right reverend Lord to raise his maximum to two hundred pounds. On the third reading, the bishop renewed his objection to the measure, as calculated to destroy Ecclesiastical subordination.

Lord Liverpool supported the original enactments of the bill, and entered, on the latter occa-

them placed to the account of the Commissioners for the reduction of the National Debt; and, upon the remainder of such loan or other addition, the annual sum of one per cent., on the capital thereof, according to the provisions of the said Act of the 32d year of his present Majesty."

A provision was also made, for the first time, for a one per cent. Sinking Fund on the unfunded debt then existing, or which might thereafter be contracted.

In 1802, it was deemed expedient that no provision should be made for a Sinking Fund of one per cent., on a capital of 86,796,300*l.*; and it was considered by the proposer of the new regulation, in 1813, that he was reverting to the principle of Mr. Pitt's act of 1792, when he provided that 867,963*l.* should be added to the Sinking Fund for the one per cent. on the capital stock created, and which was omitted to be provided for in 1802.

sion, (May 21,) into an eulogium on the Established Church. He said, " agreeing in many observations made by the Right reverend Prelate (the Bishop of Worcester) who had sat down, he still intended to support the present measure: at the same time there were observations made by its supporters, in which he did not concur. His noble and learned friend (Lord Redesdale) seemed to consider the Established Church as too rich: he was in the habit of looking at it as a whole, and then he did not perceive that any single office had more than sufficient to maintain its proper dignity. Among the higher orders of the Church, he was convinced that no one enjoyed more than he ought to possess; and among the lower there were a great many who had not what was sufficient and adequate for the due performance of their duty. This subject had long occupied his attention; and when the circumstances of the country would permit, the increase of the small livings ought to be taken into consideration.

" He was of opinion that, however some years ago there might be a deficiency in the performance of their duties by the clergy, they had of late improved: that both residence and performance of duty among the lower orders of the clergy had increased." His Lordship concluded by observing, " that the hierarchy of the country was of the same unequal and mixed description

as the rest of its institutions. Companions and monitors for the rich were furnished by its invaluable institutions, as well as companions and monitors for the poor. As to the bill itself, he thought its principles were simple. Residence was an object desired by all, and in those instances, where the living was not adequate to the support of an incumbent and a curate, this bill provided that it should be appropriated to one only."

Parliament was this year extensively engaged with the affairs of the East India Company. The approaching expiration of its charter brought petitions from every important port in the kingdom, for a share in its trade; and in the House of Commons, in particular, witnesses were examined upon its whole history and management. The new charter, granted for twenty years from 1814, reserved to the Company the exclusive trade to China, but laid open to the public, with slight qualifications, the trade to all other parts of the East: and an Ecclesiastical Establishment was founded in India, consisting of a bishop and three archdeacons. These were the only new features of the Charter.

In the House of Lords, farther papers were moved for by the Marquess Wellesley and the Earl of Lauderdale, the former of whom strongly supported the claim of the Company to a monopoly

of the entire trade; but the discussion was by no means so prolonged, or so animated, as in the Lower House.

Lord Liverpool pressed forward the measure, which, he conceived, would be found at once just to the claims of the Crown, and fair towards the Company and the public.

On the 11th of June, Ministers communicated to Parliament the "Treaty of Concert and Subsidy, between his Britannic Majesty and the King of Sweden;" which produced, on the 14th, some questions from Lord Grey, with regard to the transfer of Norway to that power.

The Earl of Liverpool objected to anticipating the discussion of the treaty before the day which had been already fixed for the consideration of it. His Majesty's servants would then have an opportunity of fully justifying the grounds of the treaty. At present he would content himself with observing, "that they had proceeded upon no such principle of policy as that to which the noble Earl had adverted. With respect to the engagements between Russia and Sweden, as they had not been communicated to the Ministers upon authority, he did not feel himself justified to comply with his Lordship's wishes on that head, but he had no objection to lay upon the table the substance of the article to which the present treaty referred." He must decline the production

of the correspondence with the Danish Minister, as it involved topics which, if disclosed, might be prejudicial to other powers; but the information required on this point was not necessary for the consideration of the present treaty. In reply to the observation made, as to the time in which the treaty was laid on the table, he said, that it could not be produced till its ratification, which only arrived on the 16th of May, and some subsequent discussions rendered it inexpedient to lay it before Parliament sooner than had been done. With respect to the money advanced to Sweden, he had no objection to give the fullest information on that head. As to our engagements with other powers, all the treaties entered into were already before Parliament: with regard to any farther discussion, relative to the co-operation, the House must be aware that it would be improper to say any thing at this moment."

Lord Grey declared himself dissatisfied with the information offered to be granted, and intimated, that "when the discussion came on, he should take the sense of the House on the subject."

In answer to a question afterwards put to Lord Liverpool, his Lordship affirmed, that "there was no treaty of concert and subsidy with either Russia or Prussia."

Two days after, a copy of the stipulations be-

tween the Courts of Stockholm and Petersburg, so far as they related to the treaty already before Parliament, was laid upon the table of both Houses. By this it appeared, that Russia engaged to co-operate in annexing Norway to Sweden; and that the two powers were to unite in *inviting* Denmark to accede amicably to the treaty, of which Great Britain was to become a guarantee.

Earl Grey contended, that "Denmark was thus plundered of Norway, before any proof appeared of her refusing any act of justice to this country, or being in reality hostile to our interests. It was a fact, that the ports of Denmark had been closed against French privateers, and every facility given to British commerce as early as the 10th or 12th of February. His Lordship felt it his duty to move for an account of all communications that had taken place between Great Britain and Denmark, since the commencement of the year, with a view to peace."

The Earl of Liverpool said, "he should confine himself strictly to the motion; and must insist, that the documents moved for had no connexion with the subject that was this night to be debated, since the treaty with Sweden was substantially concluded before Denmark had made pacific overtures to Great Britain. The first communication was received from the Danish ministers at

Stockholm, on February 25th. An answer was returned on the 28th, which did not reach Stockholm till March 4th, the day subsequent to the conclusion of the treaty now on the table."

Lord Grenville supported the motion, when the House divided, and it was rejected by a majority of 45.

Lord Liverpool then called the attention of the House to the question originally fixed for consideration that day. He first adverted to the terrible storm which was impending over Russia, in the last year, when she was invaded by a greater force than was ever before brought against any country. "Two things," he said, "were necessary to give her a chance of successful resistance; peace with Turkey, and the co-operation of Sweden. The first was effected chiefly by the mediation of this country. With regard to the second, France had, by seizing Pomerania, tried the effect of intimidation on Sweden, whilst, on the other hand, she made large offers to engage her friendship. She, however, preferred making common cause with Russia against the enemy; and was she not entitled to some indemnification for her loss and hazard? There were three considerations to be attended to in discussing the merits of the treaty in question: 1. Were Russia and Sweden justified in entering into their engagements? 2. Was, or was not, Great Britain justified in acceding to

that treaty? 3. Did she act wisely and politicly in acceding? With respect to the first, it was not to be forgotten that Denmark formed part of the confederacy against Russia. She engaged to Buonaparte to occupy the North of Germany with her troops, of which some countries were in alliance with Russia, and thus as completely co-operated with the French, as if she had marched with them to Moscow. She made her election, and was to stand by the consequences. As to the justice of the accession of Great Britain to the engagements between Russia and Sweden, were we not at war with Denmark? Danish seamen manned the French ships; their ports were shut against us, their privateers were annoying our commerce. Could it be asserted that we were not as much justified in conquering Norway, as in conquering any other place belonging to Denmark? The idea of annexing Norway to Sweden was not new. The purpose of Sir John Moore's expedition had been to co-operate with Sweden in the conquest of Norway, as an indemnification for the loss of Finland. The nominal war, which afterwards ensued with Sweden, had, indeed, released this country from any preceding engagements; but as she had now shown such a determination to co-operate in the common cause, she had a strong claim on our liberality to promote her views in any legitimate

contest. With respect to the policy of our acceding to the engagements between the two powers, there was no object, except the independence of the Peninsula, so important to Great Britain, as that Norway should belong to a power able and willing to preserve its independence against France. It was a country full of harbours, from which we procured a considerable part of our naval stores. He did not mean to say that for this reason solely Denmark ought to be deprived of it; but till that nation was prepared to sacrifice its German dominions for its insular security, it must be dependent on France." The noble Lord then made some observations to show, that "even in the last year the conduct of Sweden had been of material service to Russia, and that Denmark had made no overtures till after the most complete destruction of the French invading armies. The question," he said, "came to this; how far the Swedish government had shown a disposition to perform that treaty? and he endeavoured to prove, from facts, that its exertions had been hearty and zealous. As to the compensation given to Sweden by the cession of a West India island," he said, "it was not a new idea, and that there never was an occasion in which such a measure was more important or less detrimental to this country. The return, that of opening a depot for British commerce in Sweden,

was such an effectual reversing of the Continental system as deserved to be purchased at almost any price. He concluded by moving an address of thanks to the Prince Regent, for laying this treaty before Parliament, and to assure his Royal Highness of their readiness to co-operate with him to carry the same into effect."

In answer afterwards to Lord Grey's assertion, that "according to the wording of the treaty, it was a guarantee in perpetuity of both Norway and Guadaloupe, to the Swedish government;" Lord Liverpool argued, on the contrary, that "it was only a virtual guarantee, contingent upon the performance of certain stipulations on the part of Sweden."

The Ministerial address on this treaty was finally carried by a majority of 63.

One of the most important proceedings of the session, relating to our domestic affairs, was the passing of a bill for lessening the delays in Chancery, by the appointment of a Vice-Chancellor.

On the 28th of June, the Prince Regent applied for a vote of credit, to meet, in the present peculiar situation of foreign affairs, any emergency that might arise; and the sum of five millions was placed at the discretion of Ministers. On the 22d of July, the Parliamentary campaign closed with a speech from the Regent proroguing Parliament.

We have now again, therefore, to advert to other campaigns of increasing interest: in the Peninsula, we find Suchet (13th of April) attacking the defensive line of Lord Wellington, from which he was every where repulsed; and the British commander soon afterwards moving forward by Salamanca to Madrid. King Joseph Buonaparte retired upon the Ebro; where coming suddenly upon him, from the left, Lord Wellington found him encamped, in front of the town of Vittoria. On the 21st of June the British attacked the French in three divisions, and after a severe conflict, compelled them to continue their retreat towards Pampeluna, leaving behind them their baggage, cannon, and stores. One hundred and fifty-one pieces of cannon, and four hundred and fifteen ammunition waggons, fell into the hands of their pursuers. The loss of the allies engaged (chiefly British) was seven hundred killed, and four thousand wounded. The result of this new victory was the retreat of a large portion of the French army across the Bidassoa.

Pampeluna and St. Sebastian were now invested: the castle of the latter not being finally carried until the 18th of September, and the former the 31st of October.

But Lord Wellington entered France as a conqueror, on the 7th of October, and on the 10th of

the following month attacked the central lines of the enemy. The issue was, that they were driven from various strong positions, which they had fortified with great care and labour, towards Bayonne, and left fifty pieces of cannon and fourteen hundred prisoners to the allies. At the close of the year, Lord Wellington had crossed the Nive, and fully established himself in France.

The campaign in the North of Europe also opened propitiously. The Russians having detached a Prussian force of 15,000 men for the French army, they at once entered into a convention to remain neutral, and a Regency was established in the name of the King of Prussia, at Konisburg, which exhorted the people to come forward and rescue the Prince and country from French bondage. The way was thus prepared for the separation of Prussia from France; and on the 22d of February a treaty of alliance, offensive and defensive, was signed between that power and Russia.

Buonaparte, in the mean time, by a *senatus consultum* of the 11th of January, had obtained a new army of 350,000 men; and having proclaimed his Empress Regent, joined his forces on the Saale: the Russians and Prussians were concentrated near Leipsic. On the 2d of May a general but indecisive engagement took place:

the allies kept the field, but the French afterwards advanced to the Elbe, to Dresden, and to Breslau. At this period (1st of June) Sweden had acceded to the general alliance against France.

The French Emperor now, therefore, transmitted, through Austria, proposals for an armistice; and negotiations were opened at Prague; but had no other result than furnishing an opportunity for Austria to arm herself. On the 11th, Count Metternich delivered to the French minister a declaration of war on the part of the Emperor of Austria: the allies now slowly compelled the French to retire to Dresden, and through Silesia and Saxony, while the Austrians advanced to join them from Bohemia.

At this period an important accession was made to the strength of the allies, by a treaty between Austria and Bavaria, in virtue of which 55,000 Bavarian troops were to act in conjunction with them. The battle of Leipsic followed, in which Napoleon lost upwards of 50,000 men in killed, wounded, and prisoners, with sixty-five pieces of cannon; and seventeen battalions of Westphalian and Saxon troops deserted to the allies. The King of Saxony, with his Court, and immense magazines now also fell with Leipsic, and the rear-guard of the French army, into their hands. Wirtemberg, Denmark, and Switzerland joined, in the summer, the grand Con-

federacy, and the year here also closed with the invasion of France.

By the treaty with Denmark, signed at Kiel early in the year, Swedish Pomerania was ceded to that power in exchange for Norway; England retained possession of the Danish fleet, and 10,000 Danes joined the army of the Crown Prince of Sweden, to act against France. In the south of Germany, the arms of Austria had, during this interval, been no less successful. In October, General Hillier crossed the Alps with an army of 60,000 men; and Trieste, and Fiume, with the whole Dalmatian coast, were reduced, in which the English force in the Adriatic assisted.

The unfortunate contest between Great Britain and the United States of America, was productive of a variety of events this year, though for the most part on a small scale. Their operations against Canada had been twice successfully repulsed last year; but in the month of January, 1813, they were renewed. General Winchester advanced with 1000 men to the attack of Fort Detroit. Opposed to him was Colonel Procter, with 500 regulars and militia, and 600 Indians; when about 500 of the Americans, with their commander, surrendered prisoners, and the greater part of the rest, on their retreat, were cut off. This misfortune, however, was compensated to them by the capture of York, the capital of Upper Canada,

on Lake Ontario: and the lakes of Canada became the scene of active warfare, in a number of spirited actions which we cannot detail.

Administration, and indeed the whole country, now felt the importance of the passing crisis, and of every possible aid being given by Great Britain to the Allies; Parliament met, therefore, for the despatch of business on the 4th of November; when it was again opened by the Prince Regent in a speech from the throne. The topics were chiefly the new alliances and successes against the power of France, and the war with America. Respecting the former, his Royal Highness said, that "no disposition to require from France sacrifices of any description inconsistent with her honour, or just pretensions as a nation, will ever be on his part, or on that of his Majesty's Allies, an obstacle to peace:" and professed, with respect to America, "his readiness to enter into discussions for the adjustment of the subsisting differences, upon principles not inconsistent with the established maxims of public law, and the maritime rights of the empire."

In the House of Lords the address was moved by Earl Digby, and seconded by the Earl of Clare; when the Marquess Wellesley rose, and declared his entire concurrence in the sentiments of the speech. Lord Grenville followed. "Equally approving the present conduct of Ministers, he

would venture," he said, " to remind them of the obligations of this country to Holland; and expressed a hope that, in the general settlement of European affairs, we should promote, as far as possible, the restoration of that power to independence. It had fallen a victim to its alliance with us."

Lord Liverpool could not but congratulate the House on the unanimity thus displayed; and after recapitulating the successes of the campaign, said, " with respect to the desirable object of a general permanent peace, that it would be the policy of England not only to give full security to her friends, but to her enemies; and he himself could not countenance any thing as demanded from the enemy, which, if in the situation of that enemy, he would not have been willing to part with."

A loan, at this early period, of 22,000,000*l.* proposed by the Chancellor of the Exchequer, readily received the sanction of Parliament; and the foreign subsidies moved by Mr. Vansittart, passed without a dissentient voice. Those to Russia and Prussia were estimated at 5,000,000*l.*; to Spain and Portugal 4,000,000*l.*; 1,000,000*l.* to Sweden, and 1,000,000*l.* to Austria, with 100,000 stand of arms, and military stores in proportion. There was at this time but one opinion, that the hour for every exertion to be made was come.

On December the 1st, the Allied Sovereigns is-

sued from Frankfort, a declaration explanatory of their views and policy. "Victory," they said, "had conducted them to the banks of the Rhine; and the first use which they made of it was to offer peace. They desired that France might be great and powerful; because in a state of greatness and strength, she constituted one of the foundations of the social edifice of Europe. They wished that France might be happy, that her commerce might revive, and that the arts might again flourish; because a great people can only be tranquil in proportion as they are happy. They offered to confirm to the French empire an extent of territory which France under her kings never knew; because a valiant nation does not fall from its rank by having in its turn experienced reverses in an obstinate and bloody contest, in which it had fought with its accustomed bravery," &c.

On the 20th, Lord Holland expressed in the House of Lords, a wish to be informed "whether the copy of the above declaration, which had appeared in the public papers, was authentic, and whether the Government of this country were a party to it. Another question," he said, "also arose to his mind, whether the offer of peace thus made had been rejected, or whether negotiations were going on?"

Lord Liverpool replied to the first two questions, that "the paper was authentic, and that it

was issued without any communication with this Government; but that the Allied Powers were fully in possession of the sentiments of the British Cabinet upon the subject." The subsequent question he declined answering.

His Lordship then rose to move an adjournment of Parliament rather longer than usual, viz. to March the 1st, assigning as a reason the earlier period at which it had met, and the business which it had gone through.

Lord Darnley and Lord Holland opposed to this an amendment, substituting February 1 for March 1; but both in the Lords and Commons the proposition of Ministers was carried without a division.

It was in fact to the executive rather than the legislative functions of Government, and to the all important movements of our allies, that the eyes of the country were directed. There was now some prospect, before Parliament should again meet, of Lord Liverpool's often quoted "march to Paris" being realized.

The veteran Blucher and Prince Schwartzenberg fought the first battle of the allies on French ground on the 1st of February, 1814. There were about 75,000 men engaged on each side, and the French were afterwards obliged to retrograde towards Troyes and Arcis. Prince Schwartzenberg now proceeded along the Seine, while Blucher fol-

lowed the course of the Marne, towards the capital. It is well known that Buonaparte made a final effort to engage the allies separately, but they became apprised of his plan, and arrived together in the neighbourhood of Paris at the end of March. On the 30th their right wing was posted towards Montmartre, and their left on the wood of Vincennes. Napoleon was certainly surprised by this movement, and still more by the declaration of the Allies, on entering Paris, that they would no more treat with him nor any of his family.

In the interim the English Foreign Secretary of State had joined the staff of the Allies; a new treaty of alliance and subsidy had been signed on the 1st of March, at Chaumont, and Buonaparte had proposed his ultimatum to the Congress at Chatillon. It demanded the whole western bank of the Rhine, and part of the line of the Waal, including Nimeguen, as a frontier for France; Italy for Eugene Beauharnois; and that the other members of his family should be placed on foreign thrones. "By continuing the negotiations under such circumstances," said the Allied Powers, "they would have neglected what they owe to themselves: by signing a treaty on the principles of the French *projet*, they would have resigned their arms into the hands of the enemy." The ultimatum was peremptorily rejected.

When Parliament met after its long adjourn-

ment, on the 1st of March, Ministers moved and carried a farther adjournment until the 21st; Lord Liverpool observing that "they had well considered how far any public inconvenience was likely to arise from that circumstance."

Lord Wellington, on the 12th of this month, entered Bourdeaux, accompanied by the Duke d'Angoulême; the result of which was, a counter-revolutionary movement, favoured by the mayor and principal inhabitants, who, 'mounting the white cockade, declared for the Bourbons. His Lordship's splendid operations in this quarter were closed on the 11th of April, by the bloody battle of Toulouse.

On the same day the treaty was signed between Napoleon and the Allied Powers, by which he was put into possession of the full sovereignty of the Isle of Elba, and agreed to resign all pretensions to his former vast dominions. Louis XVIII. this same memorable month, was received in London in great state; the Prince Regent joining him from Windsor at Stanmore. They came to town together in the Prince's state carriage, and Lord Liverpool, with the Earls Buckinghamshire and Bathurst, the foreign ambassadors, and about one hundred and fifty of the French noblesse, received the royal party at Grillon's hotel, Albemarle Street. Here the Prince Regent congratulated his Majesty on his restoration, who stated

in reply, that it was to his Royal Highness's councils, to this great country, and to the constancy of its people, that he should always ascribe the restoration of his house to the throne of their ancestors. On the 23d, accompanied by the Prince Regent, Louis proceeded to Dover, and embarked the following day for France, on board a royal yacht, escorted by several ships of war, under the command of his Royal Highness the Duke of Clarence.

The definitive treaty of peace between France and the Allied Powers was signed at Paris on the 30th of May, 1814. This treaty, in strict conformity to the professions of those powers, was equitable and honourable to France, guaranteeing to her the boundaries existing on the 1st of January, 1792, with some slight additions on the side of Belgium and Germany, and a considerable portion of Savoy, including Chambery and Annecy. The navigation of the Rhine was declared free; the House of Orange was recognized in its newly assumed sovereign capacity; and the German States were united in a federal league. Switzerland was to remain independent; but Italy was doomed to receive the yoke of Austria. Great Britain restored her conquests to France, with the exception of Tobago, St. Lucie, and the Mauritius. Malta was confirmed to England; and France engaged to erect no fortifications in India:

she also engaged to co-operate with Great Britain in the abolition of the Slave-trade.

During the absence of Lord Castlereagh on the Continent, neither House of Parliament proceeded to any important business. The first discussion which took place upon the terms of the peace respected Norway. Lord Holland, on the 29th of April, asked Lord Liverpool whether, when his Lordship had said that a convention had been signed for a suspension of hostilities between France and the Allies, Norway was included among the powers between whom hostilities had ceased? Lord Liverpool replied in the negative. The noble Lord then asked whether by that he was to understand that we were at war with Norway. Lord Liverpool said "he had no objection to state the fact, that measures were taken for the blockade of Norway."

Lord Grey on this said that "he should move on Monday for the production of the paper instructing the Admiralty to give orders for the blockade."

On the 10th of May his Lordship brought on his promised motion upon this subject. "We had acceded," he observed, "to a treaty between Russia and Sweden, by which we agreed, provided Sweden performed certain conditions, not to oppose the annexation of Norway to Sweden, but to use our good offices in obtaining it, and even

to employ force for the purpose if necessary. But what were the conditions upon which the employment of force depended? The refusal of Denmark to join the Northern Alliance. If, therefore, by our co-operation, we made the King of Denmark join the Allied Powers, we had fulfilled our stipulation. The subsequent condition of the people of Norway formed no part of our engagement; we did not guarantee the peaceable possession of the country to Sweden. With regard to the question of right, whether this was an obligation which we could contract, his Lordship maintained that it was fundamentally void, as being contrary to the most acknowledged principles of law and justice. An individual seeking the fulfilment of a contract depending upon an unlawful obligation, would not be listened to in a court of justice, and the principles between states must be the same, although there is no superior tribunal to appeal to." His Lordship here read passages from Grotius, Puffendorf, and Vattel, all clearly maintaining the doctrine, that the sovereign of a state could not transfer the allegiance of the people.

The noble Lord afterwards considered the assistance furnished by Sweden to the common cause, which he contended was not answerable to the terms of the treaty; and that the augmentation of Sweden could not be deemed wise, with

any view to permanent policy, since, in all probability, she would still, as formerly, incline to the interest of France.

Earl Grey concluded a long and able speech with moving, "that an humble address be presented to his Royal Highness the Prince Regent, humbly to request that his Royal Highness would be graciously pleased to interpose his mediation to rescue the unoffending people of Norway from the dreadful alternative of famine, or of subjugation to the yoke of a foreign and hostile power; and that during the discussion of such proposals as his Royal Highness may be advised to make for this most desirable object, all hostile operations, on the part of this country, against a people struggling for the sacred right of national independence, may be discontinued."

The Earl of Liverpool, in defence of Government, confined himself to the special circumstances of the case. He first considered those under which the cession of Norway was made, and showed that Sweden actually gave up Gluckstadt and Holstein, which she had conquered, whilst Jutland lay open to her arms, as the price of the cession made by the King of Denmark for the preservation of the remainder of his dominions. He contended, that that sovereign, as an absolute monarch, ceded no rights which he did not himself possess; and that, if the principle of ces-

sion was applicable under any circumstances, there never was a case in which it could be considered less in the light of a grievance than the present; when an offer had been made to the people of Norway, either to be governed by the existing laws, or to be incorporated with the constitution of Sweden. But it was said they had not chosen to accept this offer, and wished rather to erect themselves into an independent kingdom. But after having, during eight years, been at war with us as part of the Danish dominions, had they now a right to assume independence for the purpose of preventing the allies from receiving a compensation for the conquests made by them from the state to which they belonged?" His Lordship then went into a consideration of the manner in which Prince Christian had proclaimed the independence of Norway, still calling himself its Regent and presumptive heir of Denmark; in which, if the Court of Denmark was privy to his plans, it was gross duplicity and falsehood on its part; if otherwise, it was an act of usurpation on that of Prince Christian. He intimated that there were a number of Danes in Norway who had stimulated the people to resistance, and that they had been studiously kept in the dark, and allured by an assurance of the support of England. He said, that "it had been taken for granted by the noble Lords, that the

general sense of the people of Norway was adverse to an union with Sweden; but in fact there were considerable parts of that country perfectly willing to agree to it." He made some farther remarks in defence of the conduct of Sweden, with respect to her services in the common cause; and as to the impolicy of adding to her strength, he observed that the loss of Finland had placed her in different political circumstances.

The Earl of Liverpool again moved the grant of Parliament to the Duke of Wellington, who first took his seat this session as a peer, having the patents of each gradation of the peerage to exhibit. Ministers proposed ten thousand pounds a-year to be given to his Grace, to be at any time commuted for the sum of three hundred thousand pounds; but several Members of the Opposition objected to this, as too small for his services; and an additional one hundred thousand was therefore added, making the sums granted to the noble Duke, on the whole, half a million sterling.

While Ministers were applauded generally for the terms of the late treaties of peace, it was thought that with regard to the abolition of the Slave-trade, they had not assumed the high moral tone, which would have become the country. Lord Grenville brought forward this subject in the House of Lords, and Mr. Wilberforce in the

Commons. Both speakers insisted that the British negotiators had consented to a treaty permitting the Slave-trade to be carried on, in the case of France, for five years, when its immediate and total abolition might have been obtained. His Lordship concluded an eloquent speech, by moving (27th of June) for the papers containing those parts of the negotiation which referred to this matter.

The Earl of Liverpool replied, "that he thought a great mistake ran through the whole of the noble Baron's argument, founded upon a misconception of the right which a country has to dictate to another and independent nation, on a subject like the present. Such right must be founded either on general principles, or on particular circumstances. With respect to the first, it would scarcely be contended, that any Government would be justified either in going to war, or in continuing it, for the purpose of imposing upon another country a moral obligation, however solemn or sacred. In these points, every independent nation is entitled to judge and act for itself. As to the circumstances of the present case, it was first to be considered, that these could only attach to the colonies of which we had possession, not to those which were not in our hands. With respect to the former, the noble Baron argued as if the restitution of her colonies to France was an

act purely gratuitous on our part. He confessed that he never considered it as such. The object of the negotiations being a general peace, the Continental Powers, jealous of the Colonial possessions of Great Britain, would never have allowed her to keep all those of France. When it is argued that the abolition of the Slave-trade ought to have been the condition of restitution, it is contending, that the abolition ought to have been made the price of peace; and that, upon its refusal, the continuation of the war must have been the consequence; but were their Lordships or the nation prepared for such an alternative? His Lordship proceeded to show, that the Ministry had by no means been neglectful of every real opportunity of abolishing the Slave-trade, which had occurred in other countries; and he would not admit that the concession made by France was unimportant, though not such as they could have wished, and struggled hard to obtain." He came at length to the immediate consideration of the motion, and contended, that nothing could more tend to frustrate the object in view than acceding to it.

The Marquess of Lansdowne renewed this topic on the 30th of June, when, he moved an address in the House of Lords to the Prince Regent, expressive of the deep regret felt by that House, "that the exertions of his Royal Highness had

not been attended with more complete success, and their earnest hope that his Royal Highness might be able to form new arangements with France, for the purpose of bringing about this desirable result. At the same time, entreating that his Royal Highness would use his utmost endeavours, at the approaching congress, to procure a declaration, that this traffic was contrary to the law of nations, and one which ought to be abolished over the whole of the civilized world."

The Earl of Liverpool at this period entered with great cordiality into the object of the friends of the abolition. "He completely concurred," he said, "in the motion of the noble Marquess; but he thought that while regret was expressed that more had not been done, satisfaction ought also to be expressed at what had been effected; and he proposed introducing into the motion words declarative of their satisfaction at the abolition of the trade by Sweden and Holland, particularly by the latter."

It has been said, that there is no instance in modern English history, of the termination of a long war by a treaty so generally approved as that which restored peace at this time to Great Britain and France. Opposition met with candour the failure of their calculations in the results of the contest; and all the great objects for which the Ministers professed to continue it, had

been attained. In neither House, therefore, was there any debate of consequence respecting the treaty. When the address, upon its communication to their Lordships, was moved in the House of Peers, (July 28th,) Lord Grenville observed, "that if he found any difficulty in cordially concurring in it, it arose from the article concerning the Slave-trade; but, as he had already expressed in that House his sentiments on this point, he would not disturb the unanimity which he wished to appear in approbation of the treaty." He then took a general view of the political state in which Europe was left by it, and particularly rejoiced at the recognition by his Majesty's government of the principle of restoration, instead of that of partition, which had led to so many evils. His Lordship concluded with hoping, that the military establishment would now be reduced to what it was before the commencement of the war.

The Earl of Liverpool on this occasion stated, "that he should trouble their Lordships only with a few words on the general principle and stipulations of the treaty. In the negotiation it was necessary to adopt one of two principles: either a general congress must be resorted to, or a treaty must be made between the allies and France. As great delay must have arisen from the former plan, and the principal and immediate object was settling the boundaries and claims of France,

which it was necessary to do, while the allied armies remained in that country, the latter had been preferred, leaving the more complicated interests to be settled at a future congress. The next point to which he would advert was, the principle by which the allies had been guided in the negotiation; which was, that no peace with France could be secure or lasting, which did not leave the honour and independence of the country inviolate. With the conquests she had made, and the military spirit she had imbibed, it was not to be wondered at, that she had required and obtained something beyond her ancient territory. His Lordship then enumerated the cessions which had been made to France, and the acquisitions which we had retained, and gave the reasons for both. He lastly considered that part of the address which declared that we had attained the great objects of the war. What were those objects? In 1793 we had entered into the war to defend Holland from the invasion of the French; that ally was now restored to independence under the House of Orange. During the whole course of the war, the balance of Europe was the wished-for end of our exertions; it was now secured by the reduction of the power of France within reasonable limits. The restoration of the Bourbons had never been the object of Ministers; yet he was convinced that we could

have had no satisfactory peace with any other government in that country. At the conclusion of former wars we had sometimes abandoned our allies, and consulted only our own interests: the present peace was made in conjunction with them, and with their full approbation and gratitude for our services. Never did the character of Great Britain stand so high as at the present moment."

The address was agreed to, *nem. con.*

Parliament was prorogued by the Prince Regent in person, 30th July: the speech, after lamenting the continuance of his Majesty's indisposition, observed "that his Royal Highness, in assuming the reins of government, had determined to adhere to the line of policy which his Majesty had adopted, and in which he found zealous support from Parliament, from all classes of his Majesty's subjects, and from the valour of his Majesty's forces by sea and land. That he had the satisfaction of contemplating the full accomplishment of all the objects for which the war was undertaken or continued, and the final deliverance of Europe, by the combination of this nation and its allies, from the most oppressive tyranny under which it had ever laboured; and that the restoration of so many of the ancient governments of the Continent afforded the best prospect of the permanence of peace." He lamented the continuance of

hostilities with the United States of America; and, notwithstanding the unprovoked aggression of that country, was sincerely desirous of the restoration of peace on conditions honourable to both," &c.

The month of June was distinguished by the greatest concourse of illustrious visitors that ever had met in the British capital. Amongst these were the Emperor of Russia and his sister the Duchess of Oldenburg, together with the King of Prussia and his two sons, Prince Metternich, Prince Czernicheff, Generals Blucher, Barclay de Tolly, and Platoff, the hetman of the Cossacks. Apartments were prepared at St. James's for the Royal Personages, but the Emperor of Russia resided at the Pulteney hotel. On the 9th, a Court and a Chapter of the Order of the Garter was held in honour of their arrival, at Carlton-house. The two Monarchs were on this occasion made Knights of the Order, as were the Earl of Liverpool and Viscount Castlereagh, when a statute was read, declaring that no farther election of any subjects not being of the Blood Royal into the Order shall take place, until the vacancy of a stall of a Knight subject, not of the Blood Royal, shall have happened, subsequently to the reduction of the number of Knights subjects not of the Blood Royal to the original number of twenty-five Knights Companions The Sove-

reigns, the Regent, and their respective Ministers, were a few days after magnificently entertained by the City of London.

The only exception to the public happiness and tranquillity was the continuation of the contest with the United States. This and the delay that had occurred in the opening of the proposed Congress of Vienna, were the topics upon which the speech of the Prince Regent dwelt on the opening of Parliament, November 8th.

Some observations on the naval successes of the Americans, made by Lord Darnley, were answered by Lord Melville, who insisted that our vessels had never been beaten when opposed to only an equal force. Lord Grenville said he was not to be drawn off by parade from the actual fact that there was mismanagement in our naval administration. He hoped that an early day would be appointed for inquiry into this subject. Adverting then to the address, his Lordship said, "that with all his desire to look favourably on the prospects of the country, they were clouded to his view. The speech told them only of new burdens, of severe additions to those which were already severe; no economy, no husbanding, no reduction. He lamented its language respecting the negotiation with America. It professed a readiness to make peace on just and honourable terms; but these were mere words of course; and

he should have expected a declaration what were the grounds on which peace would be made. He hoped the war still carried on was not one of resentment or revenge, much less of punishment, in order to make the people of the United States feel the weight of our power. This topic led his Lordship to consider the devastation made at Washington, which he condemned in the most unqualified manner, as an act which could tend to no useful purpose, and which gave the example of recurring to the maxims of a barbarous and antiquated policy. It had indeed been defended on the ground of retaliation, which, however, ought to have been expressly stated at the time. A subsequent proclamation had been issued, in which, on the same ground, a necessity was declared of carrying on war against the private property of the American people. With respect to the general state of Europe, his Lordship could not avoid mentioning it as a great omission in the speech, that no notice was taken of our still keeping up on the Continent an army of 40,000 men. In what part of our history was an example found of such a force in British pay in a time of profound peace, and what power had a King of England to keep it without consent of Parliament? On the whole, the speech appeared to him ill suited to the existing state of the country."

The Earl of Liverpool maintained, in opposition

to the noble Baron, "that the address was not marked by any peculiar features of a warlike character. He thought it more consistent with the dignity of the crown to describe the state of the country as it actually was, than to hold out hopes as to the result of events and proceedings still depending. He then went through the several objections of his Lordship, and replied to each. He justified the act at Washington as an exercise of retaliation; and with respect to the proclamation of Sir A. Cochrane, he said that a subsequent instruction had been sent to the commander on that station. As to the circumstance of keeping up a large army on the Continent in time of peace, he allowed there might be no precedent for it, because no state of things similar to that in which the war concluded, had ever existed. The policy of the measure was connected with the state of our foreign relations, and might become a subject of future discussion."

On the 11th of November, Earl Fitzwilliam "called the attention of the House of Lords to the fact of Ministers continuing certain militia regiments that had been called out, without disembodying. The establishment of that species of force was regulated by various Acts of Parliament: and none of the cases in which it might be called out according to law at present existed. It was a great hardship upon the men to be detained

illegally from their homes; and a hardship also on the counties and townships which were under the obligation of maintaining their wives and families. He, therefore, moved for an account of the regiments that had been embodied and disembodied, to be laid before their Lordships."

Lord Sidmouth would "not oppose the production of the account, but insisted that the militia acts were not to be construed narrowly, and that Ministers were justified by the exigence of the case."

Lord Liverpool assured the House that "there was no idea of turning the present mode of disembodying the militia into a permanent measure;" and said, that "a meditated bill, upon the subject to which a noble Lord had alluded, was merely to relieve townships from partial pressures, such as providing for the families of militia-men and the like."

On the 2nd of December, his Lordship moved the adjournment of the House to the 9th of February; to which Lord Grenville and the Earl of Donoughmore strongly objected. The former observed, that "there was hardly a branch of the public Administration that did not require the maturest consideration of Parliament; yet, under these circumstances, an adjournment for two or three months was proposed without a single reason being assigned." He instanced in particular, the

corn laws, and the circulating medium, together with the war with America, as pressing topics.—Lord Donoughmore said, "the language of Ministers to Parliament was tantamount to this—'You are very good instruments of taxation, but we do not want you as advisers.'"

Lord Liverpool replied by observing, that "it was an error to suppose that the adjournment implied a waste of two or three months, since, until the last session, the House had long been accustomed not to meet before the middle of January, not more than three weeks preceding the time to which the adjournment was proposed to extend. With respect to the topics waiting for Parliamentary consideration, he was fully aware of their importance, but the internal concerns of the empire were too closely connected with the external, to be disposed of without reference to them. On some of the points alluded to by the noble Lord, he thought it best to keep silence; but with respect to the charge made relative to the American negotiation, their Lordships might be assured, that aggrandisement on the part of this country formed no feature of it."

The question was then put and carried.

The war with America was happily not destined to outlive the year. Though it had been conducted on both sides with considerable vigour, so early as the 7th of January, the President com-

municated to Congress a proposal of Lord Castlereagh's for the appointment of plenipotentiaries to treat on terms of peace, either at London or Gottenburg; and the President made choice of the latter place. Such a step was rendered the more expedient to the American government, by the open opposition to the war manifested in the northern States.

The negotiations were finally removed to Ghent, in August; and after several months of tedious discussion, a treaty of peace and amity was signed on the 24th of December. The articles chiefly related to the disputes respecting boundaries, for the determination of which it was agreed that commissioners should reciprocally be appointed. Both parties covenanted to continue their efforts for the abolition of the slave-trade. But no notice whatever was taken of the maritime questions which had occasioned the war.

And thus closed a year as honourable and fortunate for Great Britain as any in her annals: establishing her independence, and her superiority to every foe; while it shed the blessings of peace on both hemispheres, and promised unequalled future happiness and civilization to the tranquillized globe.

CHAPTER IX.

Universal Peace.—Observations in Parliament respecting the annexation of Genoa to Sardinia.—The Corn Bill of 1815.—Buonaparte returns from Elba.—Declaration of the Allied Powers against him.—New treaty of the Powers.—Message to Parliament.—Lord Liverpool's explanatory speech.—Marquess Wellesley censures Ministers on the subject of his escape.—Lord Liverpool's reply.—Warlike movements on the Continent.—The allies determine to invade France.—British supplies and forces.—Battle of Waterloo.—Lord Wellington and Marshal Blucher proceed towards Paris.—Convention of Paris.—Louis XVIII. resumes the Government.—Buonaparte surrenders to Captain Maitland.—He is brought into Torbay.—Sent to St. Helena.—Conduct of Ministers defended.—Final treaty between the Allies and France.—Opening of 1816.—Debates on the Peace Establishment.—On the treaties with Foreign Powers.—The Holy Alliance.—Marriage of the Princess Charlotte.—Mr. Grenfell's motion respecting the Bank.—Bank Restriction Act renewed.—New Silver Coinage Bill.—Agricultural and other distresses.—Outrage on the Prince at the opening of Parliament, 1817.—Bills for suspending the Habeas Corpus Act, &c.—Catholic Question.—Farther Suspension of the Habeas Corpus Act.—Stability of the Administration.—Death of the Princess Charlotte.

At the close of the year 1814, universal peace had dawned upon the world, and, to many persons

well qualified to form an opinion upon the subject, it exhibited every appearance of being permanent.

Parliament met after the Christmas recess, on the 9th of February, 1815. On the 13th, Mr. Whitbread mentioned in the House of Commons, our participation in what he termed the disgraceful transfer of Genoa to the King of Sardinia; and in the 15th of the month, the Marquess of Buckingham put several questions on the subject to Lord Liverpool.

He felt it his duty, he said, to inquire, "Whether the proclamation of Lord William Bentinck had been authorized by his Majesty's Ministers? and whether the proclamation by which the Genoese had been turned over to the King of Sardinia, had been authorized by them?"

Lord Liverpool declining to give a specific answer to these questions, the noble Marquess gave notice of a future motion for the production of the proclamations of Lord William Bentinck and General Dalrymple.

This motion was brought on on the 24th, introduced by a speech, in which the Marquess stigmatized the transaction relative to Genoa as a violation both of policy and good faith, and as sacrificing the character and honour of the country, by maintaining those very principles of spoliation

against which we had carried on a twenty years' war.

Lord Liverpool, who, on this occasion, opposed the production of the papers called for, maintained the impropriety, under the present circumstances, of taking into consideration, single or separate topics, which could not be fairly discussed without entering into the detail of many others, which at present it would be perfectly inconsistent to treat. He pledged himself, however, when the proper time should arrive, to prove, that not only with respect to the measure of Genoa, but every other connected with it, there had not been the smallest breach of faith on the part of the British Government, nor any expectations held out that were not eventually realized. His Lordship then moved and carried the previous question.

When, in the month of April, this topic was more fully discussed, Lord Liverpool said that all which Lord William Bentinck could do was to establish a *Provisional* Government; and that Great Britain herself could do no more: that in the whole of our recent operations on the Continent, we had acted upon a plan concerted with our allies; we could not make conquests except in their name as well as our own; and the allies only could decide the fate of Genoa.

We shall have occasion to advert to the question

of the Corn Laws at the close of this work: it may therefore suffice to mention in this place the alterations which the spring of 1815 introduced, and which form the only important topic of internal polity to which Parliament had an opportunity of attending at the present period.

In 1813 the landed interest had prevailed upon Parliament to appoint a committee to investigate the Corn Laws, who had recommended the extravagant minimum of 105s. per quarter for wheat, as the lowest home price at which the importation of that article should be permitted. In the discussions of last year, this was proposed to be lowered to 87s.; still Ministers hesitated to support the projected bill; but corn falling considerably in the summer and autumn, they gave their sanction to the resolutions of Mr. Robinson, then Vice-president of the Board of Trade, and they became the basis of 55 Geo. III. cap. 26, our present importation law. In the House of Commons, however, Mr. Baring and others contended, that the limitation price ought not to be permanent; and suggested a gradual abatement of it during a series of years.

Lord Liverpool moved the second reading of the Bill in the Lords, on the 15th; and it passed on the 20th of March.

Considerable tumults, out of doors, attended the discussion of this measure: the Ministerial and

other members favourable to it, were hooted and molested by the mob in passing to and from Parliament; and the houses of several of them attacked and broken into.

The attention of Government and the country was soon, however, diverted from these outrages, by the astounding intelligence of the return of Buonaparte from Elba. His preparations, and alleged grievances—particularly what Sir Walter Scott has called "the unfair and unworthy conduct of the French Ministry," which reduced him to pecuniary difficulties—the state of the public mind in France at this juncture—and the unparalleled events of *this* "march to Paris," are topics of other history and biography, rather than this. On the 1st of March he disembarked at Cannes, with not more than about a thousand followers, who re-mounted the tri-coloured cockade of the Revolution; and on the 20th he was re-instated at the Tuileries.

If the powers of Europe had at former periods been the victims of tardy and irresolute councils, the alertness of the general enemy did not exceed theirs on the present occasion. The Congress of Vienna, yet sitting, received the tidings of Napoleon's landing on the 11th; and on the 13th appeared their celebrated declaration, denouncing him as placed "without the pale of civil and social relations." They declared at the same

time their own firm and unanimous determination to adhere to the treaty of Paris, of the 30th of May, 1814, in all its parts.

A treaty between Great Britain, Austria, Prussia, and Russia, followed this manifesto. It repeated their resolution to abide by that of Paris, and prescribed the several contingencies of force or funds that each of the contracting parties was to furnish toward expelling the Intruder: but the Prince Regent declared in his ratification that it was not to be understood as binding his Britannic Majesty to prosecute the war with the view of imposing any particular form of government on France.

Both Houses of Parliament were called upon by a message of the 6th of April, to take into consideration "the events which had recently occurred in France;" and informed that the Prince Regent had been induced by them to give directions for the augmentation of his Majesty's land and sea forces.

This message was taken into consideration on the 7th, when Lord Liverpool rose to move a corresponding address. He stated to their Lordships, that "when the contents of the treaty of Fontainebleau were at first communicated to his colleague, Lord Castlereagh, he expressed his strong disapprobation of it; but that the representations of the Allied Sovereigns having at

length convinced him of its necessity, he had consented to accede to it in part; namely, as far as concerned the possession of the isle of Elba by Buonaparte, and the sovereignty of the Italian Duchies conferred on his wife. He (Lord Liverpool) now denied that any breach of this treaty had been committed by the King of France, as the first payment of the annual sum stipulated for Buonaparte had not become due, nor had he made any representations to the Allied Powers on that head; and his own proclamation proved that he had meant to violate the treaty on the first opportunity, and to resume his power. This resumption was, therefore, a positive and undeniable violation of the treaties of Fontainebleau and Paris, and gave this country a just cause of war against Buonaparte wielding the power of France.

"His Lordship, however, did not mean to say, that because a war was just, it should therefore be entered upon. The policy of it was another part of the question. It was impossible to conceal the dangers with which this event threatened the country, but he did not wish that the House should be pledged to any inconsiderate declaration. Between the two alternatives of armed and defensive preparation and actual war, he requested that there might be no immediate decision; since it was not merely a British, but an European question; and nothing more was at present

called for than what the message required." He then moved the address.

We must, however, think with the celebrated biographer of Napoleon,* that the defence of France with regard to the non-payment of Buonaparte's pension was but "technical," and very unsound. The British Commissioner at Elba, Sir Niel Campbell, appears often to have mentioned the subject of the Emperor's pecuniary embarrassments; and Lord Castlereagh, it is said, made strong remonstrances on the subject with the French Government. In a cause so manifestly that of justice, self-defence, and national honour, generally, it is to be regretted that the Allies left to the Intruder even one just pretext for again disturbing the world.

The addresses were carried in both Houses by large majorities, being supported by Lords Grenville, Grey, and Wellesley, in the Lords; and Mr. Grattan, Mr. Ponsonby, and other members of the Opposition, in the House of Commons.

The Marquess Wellesley, however, made a warm attack on the Ministry respecting the escape of Buonaparte from Elba. He asserted on the 12th of April, that "they ought to have taken a more decided part in the arrangements respecting his

* See Life of Napoleon Buonaparte, by the Author of "Waverley," vol. viii. p. 282.

person and his possible return to power; that the treaty of Fontainebleau was contrary to every sound principle of British policy; that there was no necessity for concluding it, and no due measures taken for enforcing it, after it was made." He concluded with moving for copies of the Instructions given to our Commissioner, and of the despatches received from him.

Lord Liverpool repelled the general charges against Ministers respecting the treaty in question. He said "he could not but express his surprise at an attack now commenced upon a treaty which had been known to the public for twelve months past. If it were so objectionable as now represented by the noble Marquess, it ought long ago to have been brought by him before the notice of the House." He then proceeded to consider the situation of the Allied Powers and of France at the period of the treaty of Fontainebleau, and asked "what would have been the sentiment of this country and of all Europe, if a great addition of hazard and bloodshed had been incurred for the sole difference between treating with Buonaparte and making him a prisoner."

He then took into consideration the choice of a place assigned for his retreat, and contended that "wherever he had been, not being subject to personal restraint, it would have been equally easy for him to have carried on intrigues with his ad-

herents in France, and ultimately to have effected his escape. Was the noble Marquess aware, that but for the continuance of the American war, the whole navy of England would not have had the power to search the meanest fishing-vessel. The establishment of a naval police to prevent his escape from the island of Elba, was then wholly out of the question. With respect to the remark, that by a breach of the articles of the treaty, a pretence had been given to Buonaparte for contravening it, his Lordship observed, that he had never in his proclamations made use of such a justification, but had averred that he came to reclaim his crown, because summoned to it by the voice of the nation. Farther, his Lordship assured the House, that previously to Buonaparte's escape, the Allies had taken measures to fulfil the articles, not to the letter, but with a spirit of liberality becoming great powers; and that it was the intention of the Court of France to have executed its part of the engagement with the greatest punctuality."

France and the Allies were now alike engaged in buckling on armour for another mortal struggle. On the 22nd of May, a message came down from the Prince Regent to both Houses of Parliament, stating, "That, in consequence of the events which had occurred in France, in direct contravention of the treaty of Paris, his Royal

Highness had judged it necessary to enter into engagements with his Majesty's allies for the purpose of forming such a concert as present circumstances indispensably require." The treaties between the powers were produced, and a short correspondence between the French, Austrian, and British Ministers.

The address was taken into consideration in the House of Lords on the following day, when Lord Liverpool said, "that the question he was about to submit to their Lordships being that of peace or war, it was unnecessary for him to use words to convince them that the subject was the most momentous that could be brought for their determination. He showed in what manner Buonaparte had fundamentally violated his treaty with the Allies, so as to render the war with him a just one. He proceeded to consider whether it was necessary on our part; and referring to that person's past conduct, he asked, "if anything had since occurred which could induce a reasonable expectation that any change had taken place in his disposition?" To the argument that a limited government being now established in France, we might look to that government for the security of peace, he replied, that "its stability under a ruler who must always depend upon the sword for his own security, could by no means be calculated upon." He then dwelt upon the peculiar

advantage of an attempt to overthrow this dangerous power, whilst the confederacy of the allies was subsisting in entire unanimity, and they were prepared to act in concert. To the objection that might be raised against the war on account of the offers made by the Allies of concluding a peace with Buonaparte at Chatillon, it was replied, that he was then the undisputed Sovereign of France, and was in possession of many of the principal military holds in Europe. His Lordship closed with moving for an address in correspondence with the Regent's message.

Lord Grey made on this occasion a direct attack, as well on the justice as the necessity and expediency of a war; and concluded with a proposed amendment of the address, which was rejected by a majority of 156 to 44.

The debates in the House of Commons were distinguished by an eloquent speech from Mr. Grattan in defence of the war.

Never did England make efforts so gigantic, either in a financial or military point of view, as on the present occasion. The Chancellor of the Exchequer obtained the unexampled loan of thirty-six millions on favourable terms; and the sanction of Parliament to an expenditure of forty millions sterling on account of the army and ordnance; besides foreign payments, as subsidies or compensations to the Allies, of £9,000,000. In

vain, indeed, had our military arrangements been planned as they were with the greatest wisdom and skill, and followed up with the utmost energy and valour, had not British gold, Buonaparte's old and unconquerable foe, been also contributed liberally: for the whole of the allied forces were brought up by it to the French frontier.

In June the proud day of WATERLOO graces the British annals. Buonaparte "measured" himself, as he said he went to do, "with Wellington;" and the treacheries and intrigues of the Republicans and Imperialists of France, with the steady and straight-forward measures of the British Ministers and their allies. The result was what every body predicted but Earl Grey.*

* This noble Lord, in the debate just alluded to, spoke with the greatest apprehension of Buonaparte having "the population and resources of a mighty nation at his command." "Those who now support the Ministers of this country in a war," he added, "may soon cease to countenance their measures, and the result must be then disgrace and degradation. The whole population (of France) may also be considered as in a considerable degree military; the spirit of the army, who bear a warm attachment to Buonaparte, exists in some measure throughout the whole country. The noble Earl would do well to consider before embarking in any war with France, that the effect would inevitably be to call forth the military energies of that people; and that it is contrary to the principles of human nature to overcome the resistance of what was termed by Mr. Pitt 'an armed nation.' Even under the great General who has hitherto been so signally success-

Lord Wellington, on the 23d of June, took Cambray by escalade; the Allies having determined to treat of peace only at Paris: his brave coadjutor, Prince Blucher, met with some opposition in establishing himself on the left bank of the Seine, but the panic of France was now as universal as her faithlessness to the Bourbons had been; and Paris being approached on its defenceless western side, a request came from the Provisional Government for the suspension of hostilities.

A military Convention followed, in pursuance of which the French army retreated behind the Loire; all the military positions of the capital were occupied by the allied troops; and under these unpromising circumstances, Louis XVIII. resumed the royal authority.

But neither England nor her Allies were accountable for these circumstances: on the head of her idolized military chief, now sent into a second and final banishment, the responsibility of the existing bloody conflict doubtless rested mainly: but that France was his *disgraced* victim, if Buonaparte was her unprincipled seducer, it is vain to deny; and she now suffered accordingly.

Nearly six months elapsed before the final

ful in all his undertakings, who would look with confidence to the renewal of hostilities under the present circumstances?"

arrangements of the Congress of Vienna were announced: in the interim the personal fate of Napoleon came, by his own act, under the decision of the British Ministry. Surrendering himself to Captain Maitland, of the Bellerophon, then cruising off Rochelle, with a view to prevent his escape, he was brought, with a suite of upwards of fifty persons, on the 24th of July, into Torbay; and in seven days received the decision of Government, that "the island of St. Helena was selected for his future residence." The reasons assigned to him for this decision, in a letter sent down from the Admiralty by the hands of Sir Henry Bunbury, one of the Under Secretaries of State, were: first, that the British Ministers would think it "inconsistent with their duty to their Sovereign and his Allies, to leave General Buonaparte the means or opportunity of again disturbing the peace of Europe;" and, secondly, because "the local situation" of St. Helena "would permit his enjoying more freedom than could be compatible with adequate security elsewhere."

Buonaparte loudly complained afterwards of the want of good faith in this transaction: that he came to the shores of England confiding in her generosity; and that we had no pretensions to treat him even as a prisoner of war. These allegations, of course, must be weighed with the facts

of the case, and depend entirely, first, on the instructions given to Captain Maitland, and secondly, on the manner in which he obeyed them.

Looking to the former, we find he was explicitly directed by Lord Keith, "to keep the most vigilant look-out for the purpose of intercepting" Napoleon; and that, in fact, thirty vessels of different sizes were employed at this period by the British Government, in watching the western shores of France with that view. He was farther directed, should he intercept him, to keep "him in careful custody, and return to the nearest port in England with all possible expedition."

In the actual surrender, Buonaparte endeavoured, in vain, to make, through Count Las Cases, certain conditions; such as his being permitted to pass to America either in a French or British vessel, a merchant-vessel, or a vessel armed en flute, &c. Captain Maitland replied: "I cannot enter into any promise as to the reception he may meet with;"—"he had only," he said, "authority to receive him on board and conduct him to England." When Buonaparte sent to him the letter addressed to the Prince Regent, and another to himself, he said to the bearer, Las Cases, "Monsieur Las Cases, you will recollect that I am not authorized to stipulate as to the reception of Buonaparte in England, but that he must consider himself *entirely at the disposal of*

his Royal Highness the Prince Regent." He answered, "I am perfectly aware of that, and have already acquainted the Emperor with what you said on the subject." Buonaparte afterwards himself said, "Certainly I made no conditions."*

He, therefore, thus became unconditionally the prisoner of England, against whom he was, up to that period, waging war. The principal question connected with his fate seems to be, how long we had a right to consider the war as lasting, and whether we could be justified in detaining this singular captive as a prisoner for life? In reply to this question, we should at once advert to his character as the political *maniac* of his age. A treaty of the usual kind had been made with him personally, and it would not bind him: the peace of the world was of no estimation with him in comparison with personal honours, and aggrandizement. We had previously trusted him on the faith of a treaty, and he had deceived us. We now, therefore, had a peculiar right to judge of the measures necessary for our own security and that of the civilized world.

Such appears to have been, in brief, the sentiments of the British Government on this extraordinary occasion. The minor complaints of Napoleon, they could only meet, as they did,

* See Captain Maitland's Narrative, 8vo. London, 1826.

by the provision of most liberal funds, and every personal accommodation for him, consistent with his safe detention.

Parliament, in reply to a communication from the Regent, unanimously voted an additional 200,000*l.* to Lord Wellington, this session, as "a farther proof of the opinion entertained of his services;" and a voluntary subscription of 500,000*l.* was raised for the relief of the wounded and widows of the killed in the battle of Waterloo.

On the 11th of July, the Prince Regent prorogued Parliament by a speech from the throne. It recapitulated the extraordinary events which had occurred since the commencement of the year, and which had terminated so much to the glory of the allied arms; observing that they had left a state of affairs in which it was necessary that there should be no relaxation in our exertions till those arrangements were completed, which should afford the prospect of permanent peace and security to Europe. The restoration of the kingdom of Naples to its ancient sovereign, the reception of the King of France in his capital, and the renewal of peace with the United States of America, followed by a negotiation for a commercial treaty, were mentioned with satisfaction; and Parliament was informed that the labours of the Congress at Vienna were terminated by the

signature of a treaty, the ratifications of which had not been yet exchanged.

At length the treaty of peace concluded between France and the Allies, at Paris, on the 20th of November, appeared. It stipulated that Louis should cede to the latter the important fortresses of Landau, Saar-Louis, Philippeville, and Marienburg, with the Duchy of Bouillon. Versoix, and part of the territory of Gex, were given to the Helvetic confederacy; the works of Huninguen were dismantled; and France engaged to erect no others within the distance of three leagues from Basle, thus leaving open a passage into the heart of France. Seventeen of the principal towns on the frontiers of French Flanders, Champagne, Lorrain, and Alsace, among which were Condé, Valenciennes, Cambray, &c. the bulwarks of her Flemish and Germanic frontier, were to be delivered up to the Allies, to be held in trust for five years by an army of occupation, consisting of 150,000 men, to be maintained solely at the expense of France. An assessment was also levied upon the latter, of 700,000,000 francs, to be divided among the Allies, and defrayed by modes and at periods specified in a separate convention.

When Parliament re-assembled for business in February 1816, Lord Grenville, on the 14th,

called the attention of the House of Peers to the peace establishment of the army. He first contrasted it with that of two other periods, the years 1742 and 1756. He then said, "it was surely most important, after twenty-five years war, to consider whether or not, we were about to obtain the real blessings of peace. For his part, he should never cease to protest against the monstrous military establishments Ministers seemed determined to keep up: they would lay the foundations, if suffered, for the ruins of our free constitution." He then farther observed, that "in the period between 1783 and 1792, the whole expense of those establishments had been reduced to 1,800,000*l.*;" and concluded with moving, "That an humble address be presented to the Prince Regent, praying that his Royal Highness would be pleased to give directions for laying before the House the estimates for the military service of the present year."

Lord Liverpool rose to say, that "he should be so far from opposing the motion, that he was ready and anxious to supply all the information required; and he was willing that the question should be put upon this issue, whether a public necessity, or at least a public urgency, had not existed for every measure adopted in the formation of the peace establishment." After some preliminary observations, in which he endeavoured

to confirm the opinion, that Mr. Pitt thought, that in 1792 he had too far reduced the peace establishment, he proceeded to form a contrast between the circumstances of the two periods, which he considered under the three heads of the establishment for the colonies, for Ireland, and for Great Britain. His Lordship then went through the items under each head, as first stated by the Chancellor of the Exchequer, and advanced reasons in justification of the new or increased establishment in each.

The Marquess of Lansdown and Lord King supported the motion, and strongly protested against the magnitude of the existing establishments.

But it was in the House of Commons that this subject was most strenuously debated. The discussion was continued through three adjournments: the maintenance of the army in France was said to involve an important principle of the constitution, viz. that the Commons of England should have a complete control of all the forces kept on foot by the crown; whereas, by the King of France maintaining our troops, or to the degree that he did so, this check on the possible abuse of military power was lost.

Ministers could only advert in this instance to the peculiarity of the case: were we to reject the French contributions earned by our blood and

treasure for the sake of economizing? Did the House of Commons hold the public purse for the sake of excluding contributions to it? The case was *sui generis*, and not likely to become a precedent. The estimates finally passed with but little modification.

On the 19th of February, Lord Liverpool moved an address in the House of Lords on the subject of the treaties with foreign powers which had been laid before Parliament.

After a preliminary view of the state of Europe previous to the victory of Waterloo, and its consequences, he remarked, that "there having been no specific engagement with the King of France upon his being restored by the arms of the Allies, they were bound, by their duty to their own subjects, to accompany that restoration with such conditions as would afford sufficient security for the future peace of the world. The arrangement adopted for this purpose was founded on three principles: I. the military occupation of part of France by the Allied troops for a limited number of years: II. the pecuniary compensation which the Allies were entitled to exact from the French Government: III. a territorial arrangement. Of the particulars under these three heads, his Lordship then gave a general view, accompanied by arguments to justify that interference in the internal affairs of France which they implied. He

then took into consideration another arrangement to which the papers on the table related, that respecting the Ionian islands; and said, that "it was in compliance with the general views of the Allies and of Europe, that the British Government had taken these islands under its protection." He concluded with moving an address to the Prince Regent, the tenor of which was, expressing an entire satisfaction with the policy adopted by his Royal Highness and his Allies in the recent peace, and approbation of the principles of justice and moderation displayed in the councils of his Royal Highness, with an assurance of the support of the House in giving effect to the several engagements.

Lord Grenville on this occasion conceived that Ministers had erred on the side of moderation. He insisted upon the right and expediency which alike dictated stronger measures of precaution than they had taken against the future ambition of France. In concurrence with our Allies, we ought, he contended, to have detached from France those northern Provinces which had been gained by the unjust aggressions of Louis XIV. As their respective frontiers were now adjusted, the capital of the King of the Netherlands could be entered by a French army in a few days. But he mainly dwelt on the great evil now prevailing in Europe of keeping up immense stand-

ing armies; and moved an amendment expressing disapprobation of the extent of our own. This was however rejected by 104 votes against 40, and the original address carried.

Mr. Brougham, this session, brought forward, on the other hand, a singular document which had received, he said, the sign manual of three of our Allies at Paris, in Sept. 1815, and which has ever since characterized a supposed line of policy adopted by the Monarchs in question. We allude to the treaty forming what has been called 'The Holy Alliance,' from its being couched in solemn and religious language; and in which the high contracting parties bind themselves to make the precepts of the Christian Religion, as expressed in the Holy Scriptures, the sole guide of their public conduct.

Ministers stated that the document in question was a genuine one, and that the Prince Regent had been applied to by a joint letter of the Sovereigns of Austria, Russia, and Prussia, to accede to it: but that he declined this, as contrary to the usage of our constitution, while he stated that the British Government would not be the least disposed to act upon its principles.

On the 14th of March a message from the Prince Regent announced that his Royal Highness had given his consent to the marriage of his daughter the Princess Charlotte Augusta, with his Serene Highness Leopold George Frederick,

Prince of Saxe Coburg-Saalfeld, who had visited England in the train of the confederate Sovereigns. His Royal Highness expressed his confidence in the concurrence of the House in enabling him to make such provision on the occasion, as might correspond with the dignity and honour of his family and the country. It was consequently proposed by Ministers, and agreed to by Parliament, that an income of £60,000 should be settled on the illustrious pair; of which £10,000 were to form a privy purse for her Royal Highness, and the remainder was to defray the domestic expenses of the Prince of Coburg; this sum to be settled on them for their joint lives. Should the Prince of Coburg die first, the whole was to be continued to her Royal Highness; if he should be the survivor, the sum of £50,000 was to be continued to him. The allowance to the Princess from the civil list of £30,000 a-year was to cease. The promising event of this marriage took place on the 3d of May.

The transactions between the Bank of England and Government came also under the review of both Houses. Mr. Grenfell, whose arguments were adopted by Lord Grenville in the Upper House, contended that the interests of the public had been largely sacrificed to those of the Bank for a considerable period; and on the House of Commons having resolved itself into a committee on

the Bank Loan bill, empowering that corporation to advance six millions towards the supply for 1816, this gentleman insisted that it ought to be lent to Government, in the present state of its accounts with the Bank, without interest. Ministers proposed to give the Bank four per cent.

Lord Grenville, on the second reading of the bill in the House of Lords, said, "the statements and reasoning of Mr. Grenfell with regard to the Bank of England were decidedly confirmed by his own experience."

His Lordship was replied to by the Earl of Liverpool, who contended that Government had always had a *quid pro quo* in its transactions with the Bank: he was followed on the other side by the Marquess of Lansdown and the Earl of Lauderdale. The bill was then read a second time, and passed, without farther discussion.

But the subject was renewed in the month of May, in the debate on the Bank Restriction bill. It was proposed to extend the restriction for two years. This the late Mr. Horner ably opposed in the House of Commons, unless some pledge were at the same time given that the Bank would then resume cash payments.

On the introduction of the bill into the House of Lords on the 17th, the Earl of Liverpool moved the order of the day for going into a Committee upon it. After observing, that no difference of

opinion could exist as to the impolicy of removing the restriction on the Bank without the intervention of some farther time for preparation, and stating that he proposed to keep in view that the Bank should resume its payments at the earliest period consistent with the public interest, he gave an account of the object and purpose of the bill, to the same effect as had been done in the other House. In fine, he said, the security was in the Parliament's own hands: if it did not think fit to continue the restrictions, the Bank was bound to resume its payments as a matter of course.

The Earl of Lauderdale moved, as an amendment, that "July 5, 1817," be inserted in the bill, as the period to which the restriction should be continued, instead of "July 5, 1818;" which being negatived, he proposed to add the words, "and no longer," after the time specified; but the Committee rejected these words, and the bill was passed, as it was received from the Commons.

In a Committee of the House of Lords, on the 28th of May, the Earl of Liverpool proposed an address to the Prince Regent on the Silver Coinage bill, which he prefaced with a statement of the outline of the measures contemplated.

After alluding to the elaborate work of his father on the coinage, he remarked, "that it was impossible for him to state his views as to the silver coinage, without saying something on the

gold coin; and he laid down as the foundation of the measures in contemplation, that gold was, in fact, the standard or measure of property in this country. This being the case, it was intended to leave the gold coin in its present state; and it was a happiness, that we had now arrived at a period, when gold might be again allowed to operate as a measure of value on the old principle. With respect to silver, it was only necessary to take care, that there should be enough of it for the purposes of change, and that it should not be liable to be melted down. They were, therefore, to consider, I. what was the present price of silver; II. what it was likely to be; III. at what price it should be taken in the new coinage. The present price was 5s. 1½d. per ounce; at the rate of 62 shillings for the pound of silver, as calculated upon in 1773, the price would be 5s. 2d.; so that it was now below the mint price, and therefore might be coined on the old principle. But, as the market price must rise, it would be proper to prevent the melting down of the coin, by rendering it an operation of no profit, which would be effected by fixing upon the coin a small seignorage, or raising its value above bullion. This security, he thought, would be obtained, by raising its coined value to 5s. 9d. in which case the difference between the mint price of 62 shillings for the pound, and 68 or 70

shillings, would pay for the recoinage. The Earl then came to the discussion of the most important part of the present measure, which was, the arrangements to be adopted in calling in the deteriorated silver coin, and substituting the new. This process should be simultaneous; for if the base silver should be suffered to circulate with the good, the latter would disappear, since the temptation of melting it down, to be converted into the counterfeit, would be irresistible. He thought that 2,500,000*l.* of new coinage would be sufficient to supply the place of the shillings and sixpences called in, or driven from circulation, which, from the improved machinery of the mint, might be prepared in six or seven months. With regard to the indemnity to be granted to the holders of the old coin, he was disposed to adopt the most liberal principles; and he would propose, that all the silver which could be considered as legal tenders, by having the proper marks, should be received, when called in, at the current value. Mere counterfeits could not be received for more than their value, as determined by weight and fineness." He concluded, by moving an address to the Prince Regent, thanking him for his message, and assuring him of the desire of the House to concur in its objects.

Lord Lauderdale dissented from the principle of gold being the best standard for the coinage:

he also objected to the expense of calling in the current silver and issuing new coins; but the amendment which his Lordship proposed, requesting the Prince Regent to suspend the plan, was negatived, and the original measure carried into effect, with great satisfaction to the public.

The petitions to Parliament from the different agricultural interests were numerous this year. The manufacturers at the same time complained of that want of employment which was occasioned by the general impoverishment of their countrymen; and riots arose in the inland counties. At the close of the year, a popular meeting took place in Spa-fields, Islington, and resolutions of reform, suggested by Mr. Henry Hunt, were voted by acclamation. An apothecary of the name of Watson also harangued the rabble; and the subsequent conduct of those who listened to his oratory excited a temporary alarm in the metropolis. The rioters, parading the streets, carried off fire-arms from the shops of several gunsmiths; and Watson's son shot at, and desperately wounded an individual in Mr. Beckwith's shop, Snow-hill. The mob now marched to the Royal Exchange, where they had a short contest with the Lord Mayor, and some officers of the police; but they at length dispersed under the fear of a military attack. These results of the first year of the peace clearly indeed indicated, that the patience

of the country would be severely exercised before it reaped all the blessings of that event.

The opening of Parliament in 1817 was anticipated, therefore, with anxiety. The Prince Regent had on this occasion (1st of February) to congratulate the two Houses on the late successful expedition to Algiers, under Lord Exmouth; and on the termination of the military operations in India, rendered necessary by the vacillating conduct of the Governor of Nepaul. The distresses consequent upon the termination of a war of unusual extent and duration, had been felt, he said, with greater or less severity, throughout all the nations of Europe; and had been considerably aggravated by the unfavourable state of the season. "Deeply as I lament the pressure of these evils upon the country, I am sensible that they are of a nature not to admit of an immediate remedy; but whilst I observe, with peculiar satisfaction, the fortitude with which so many privations have been borne, and the active benevolence which has been employed to mitigate them, I am persuaded that the great sources of our national prosperity are essentially unimpaired; and I entertain a confident expectation, that the native energy of the country will, at no distant period, surmount all the difficulties in which we are involved."

On the return of the Prince from the House of

Peers, an immense crowd had assembled in the Park, by whom he was received with marked demonstrations of discontent and anger: on passing Carlton-house, the glass of the carriage was broken by a stone; nor was it without some difficulty that he at length reached the Palace. This flagrant outrage being on the same day reported by Lord Sidmouth to Parliament, the two Houses joined in an address suitable to the occasion; and voted the offer of 1000*l.* reward for the discovery of the offender.

On the 3rd of February, Lord Sidmouth brought down a message from the Prince Regent to both Houses, announcing that he had ordered certain papers to be laid before Parliament, containing information of various practices, meetings, and combinations, in the metropolis and in different parts of the kingdom, evidently calculated to endanger the public tranquillity, to alienate the affections of his Majesty's subjects from his person and government, and to bring into hatred and contempt the whole system of our laws and government. On the motion of his Lordship in the Upper, and Lord Castlereagh in the Lower House, these papers were referred by each House to a secret committee.

Lord Liverpool, in reply to the insinuations of Lord Grosvenor and Lord Holland, denied, at this time, that there was any charge of disloyalty

or disaffection intimated in the speech or message against the general body of the nation. A vast majority was, no doubt, sincerely attached to the laws and constitution; but many even of the well-disposed, but misinformed, might be misled by the artful and designing, and more particularly in a season of general and severe pressure. The reports of the two committees were brought up on the 18th and 19th of February. On the 24th a motion was made by Lord Sidmouth in the Upper House, for a suspension of the Habeas Corpus act until the 1st of July ensuing.

This called forth an able speech from the Marquess Wellesley. He would not, he said, oppose the measures* of Ministers, either for protecting the person of the Sovereign, preventing seditious meetings, or punishing attempts to seduce the

* These, as proposed in the House of Commons by Lord Castlereagh, and finally carried, were,—first, the extending of the act of 1795, for the security of his Majesty's person, to that of his Royal Highness the Prince Regent; secondly, the embodying into one act the provisions of the act of 1795, relative to tumultuous meetings and debating societies, and the provisions of the Act of the 39th of the King, which declared the illegality of all societies bound together by secret oaths, and of such as extended themselves by fraternized branches over the kingdom; and, lastly, the making of enactments to punish with the utmost rigour any attempt to gain over soldiers or sailors to act with any association or set of men, or to withdraw them from their allegiance.

soldiers or sailors: but he blamed the unskilful management of our affairs, particularly our commercial arrangements with foreign countries, which had led to these discontents; and he was not quite content to place in such unskilful hands the liberties of the people.

Lord Liverpool remarked, that "it was unnecessary, after what had fallen from the noble Marquess (Wellesley), to revert to the situation of the country, and the conduct of those to whom its administration had been intrusted. The noble Lord had himself admitted his participation in measures similar to those which the Administration of this period felt it their duty to propose. There had been other committees, of which their Lordships could not fail to recollect the committee for secrecy on the affairs of trade, and with which political matters was mixed. At the time that a noble friend of his (Lord Sidmouth) was at the head of the Treasury, a conspiracy against the life of the Sovereign was formed; and though nothing more flagitious and criminal had ever been planned, yet no bills like those now submitted were then brought in, because it was regarded as an insulated transaction; and when once the traitors had been seized, tried, convicted, and executed, the conspiracy fell to the ground. He stated these things, in order to show that those persons, who from their situations were

best acquainted with the aspect of affairs then, and who reasoned by comparison now, were, perhaps, more justified in proposing the present measure than some noble Lords imagined. But the noble Lord must have a precedent like that of 1794. This, however, was not the question; for, if their Lordships would refer to their journals, they would find more instances of the suspension of the Habeas Corpus act, which had taken place in peaceable times.

"With respect to the Habeas Corpus act, he regarded it with as much veneration as the noble Baron. He did not regard it as an act of Charles the Second, but venerated it as an anterior and integral part of the constitution. The question was, whether there were sufficient grounds to intrust his Majesty's Ministers with the power they required for the conservation of the state? Domestic treason was worse than foreign treason. There might, indeed, be circumstances in foreign treason to take away its vital, its deadly stab. They had, according to their report, proofs of a system to overthrow the constitution of the country; and when they saw such a system, with malignant spirits to set it in full motion, was it too much to ask them to intrust the legislature with powers at least adequate to its suppression? He thought the seditious and blasphemous intercourse of the conspirators more dangerous than in 1794: the

conspirators of these days borrowed some lessons from the conspirators of those; they acted by word of mouth, by signs, by concealed and indefinable, but understood ways. He felt the full importance of the question; he was prepared to meet it; and he would suffer no odium to frighten him from the stern path of duty. He felt what was more, the necessity of preserving the constitution; of, in fact, the preserving to every man his fire-side; and on these grounds he asked, for a very short time, the powers which were indispensable to the salvation of the state."

Mr. Grattan's motion (May 9) this year for a committee to inquire into the state of the laws affecting the Catholics, &c. was negatived in the House of Commons by a majority of 245 to 241.

In the Lords the subject was brought forward on the 16th, by Lord Donoughmore. The Bishops of Llandaff and of Ossory opposed the motion for going into a committee. The latter said, "that in the Netherlands, the Catholic clergy had very recently impressed upon their flocks that a good Roman Catholic could not take an oath of allegiance to a Protestant King."

The Bishop of Norwich, on the other hand, said, "this exclusion of the Catholics from all places of trust and honour in Great Britain was the longest persecution ever known. From the Restoration downwards, their clergy had certainly

been most loyal and peaceable; and those who now excited a cry of danger from admitting them to equal privileges with the rest of their countrymen, would, as Dr. Johnson had expressed it, cry out 'Fire' in the middle of the Thames."

Lord Harrowby, after mature reflection, could see no danger whatever to the existing establishment in granting the prayers of the Catholics.

Lord Liverpool said, "he would still advocate adhering to the Revolution settlement in church and state. If the demands of the Catholics were complied with, Parliament would cease to be a Protestant Parliament; and he was not disposed to risk an experiment whether a Government different from the Established Church could long exist."

Earl Bathurst and the Lord Chancellor spoke on the same side; and Lord Darnley, Lord Grenville, and Lord Grey, in favour of the Catholics. After much of the same ground as before had been traversed, the motion, on a division, was negatived by 142 to 30.

On the 5th of June, Lord Liverpool moved an address of the House of Lords to the Prince Regent, assuring his Royal Highness of the willingness of their Lordships to make provision for the newly-created peer, Lord Colchester, and the heirs male of his title.

On that occasion, his Lordship warmly eulogized

the conduct of his noble friend in his late arduous station of Speaker of the Commons. He observed "that he had held the office of Speaker longer than, with one exception, had been known in the history of Parliament—that the House of Commons had received the approbation of the Crown in their choice of him five times, and that he had filled the chair during a most difficult period. Their Lordships were well able to judge in part of the manly and eloquent manner in which he had conducted himself, by his frequent appearance at their bar, and his speeches to the Throne."

Ministers, before the period at which the suspension of the Habeas Corpus act was to terminate, felt compelled to move for the continuation of it. The Duke of Montrose supported the new bill to this effect, by observing that it was founded on a principle of merciful and preventive policy. "He well knew," he said, "that the disaffected could easily be put down, at a subsequent stage of any supposable efforts of theirs, by force of arms; but it was the wise and lenient policy of the Government to prevent things, by means of this and similar measures, from getting to an extremity."

Earl Grey very warmly reprobated the measure. "He would not deny that the country was in great danger; but in his conscience he believed the remedy proposed rather calculated to increase the

irritation, than to diminish it, by its rigour. We had triumphantly succeeded in the result of the war; but the consequence was, that we were burthened with a taxation which we were scarcely able to stand under. The war had disturbed all the elements of society; and because there were a few disaffected men in the country, who endeavoured to inflame the multitude, was the House to confide to Ministers a power, which put the liberties of every man in the kingdom at their mercy? He would ask, whether those persons had the means of exciting such general disturbances that they could be counteracted by no other measures than such as placed the whole country out of the pale of the constitution? By the argument of prevention being better than punishment, all the measures of a despotic government might be sanctioned and justified."

The noble Earl read a letter from Sheffield, respecting a person named Oliver. "He would ask the noble Lord opposite, whether he could deny that he was a Government spy? He could not deny it. This fellow had represented to the people whom he met, that all the people in the metropolis were in favour of a complete change of government, and that on the night preceding the trial of the State prisoners there was to be a general rising; that all the public offices were to be taken possession of, the

prisoners liberated," &c. The noble Lord next adverted to the conduct of Castles, on the 2nd of December, when he endeavoured to persuade Hunt that the business of Spa-fields was over, and to induce him to join in the intended attack on the Tower. So Oliver told the people, that a plan was formed that was to be simultaneously acted on in all parts of the kingdom. This absurd information had been believed and acted upon by some deluded persons in the neighbourhood of Sheffield. He stated these facts to show that Government was bound to bring this man to punishment. He did not charge Ministers with any thing more than being deluded by such persons; but he would ask whether such evidence did not shake the whole system on which the report was founded.

The Earl of Liverpool could not help adverting to some of the special points contained in the noble Lord's speech. "He agreed with the noble Lord that the nature of the danger was first to be considered; and that there was some danger, all were ready to admit. The House was not considering the riots as arising out of distresses in particular branches of manufactures; but the question was, whether there was not an organized conspiracy for the purpose of overthrowing the government and the constitution of the country? In considering this question, he thought it a la-

mentable circumstance, as referred to in the report, that in many districts where there had been but little distress, the machinations had been detected amongst those who were not in want of employment, and it was here that the greatest stretch of sedition prevailed. The principle of the conspiracy had pervaded no less than seven or eight counties of the kingdom, acting by affiliation or correspondence. The argument of the noble Lord seemed to be, that if no persons of consequence or influence were connected with the conspirators, no such measures of precaution as those now proposed were necessary. But respecting the paragraph in the report relative to the employment of spies, he would say that in all times, and under all governments, in ancient or modern times, such persons were ever found necessary, and all the state trials in this country showed that they were founded on the information of such persons, without which it was impossible that conspiracies could be discovered. The House must be aware, that in the civil list act, there was a clause which enabled the Secretary of State to employ secret service money, either for detecting combinations abroad, or conspiracies at home. Here, then, the principle of employing such persons was recognized by the statute books of the House. In answer to the observations of the noble Lord respecting the person who

had lately given evidence, he could assure him, that the person in question never was employed in those transactions as a spy of Government. Respecting Oliver, he did not deny that he had been employed; but he was confident he was discouraged from sowing the seeds of disaffection in any way whatever. The statement, however, was an *ex-parte* one, and ought not to receive full credit on such authority as had been offered. Nothing had been said to invalidate the point, that a general rising was intended to take place after the question of a reform in Parliament; and the arrangements for it had been made before even this person had appeared amongst them." The noble Lord continued to advert to historical facts, to show that "when our population was small, and the power of the crown great, (the times of Richard II.) a mob headed by a blacksmith, had committed all manner of outrages, and brought the country almost to the brink of ruin. Were he to say that the French Revolution was led on by people of consequence, he was sure he should libel such persons. It was a conspiracy of the mob against the Government; and such were always the most atrocious. Such a conspiracy would soon find leaders; and if it was a conspiracy of the lower orders, he would say, so much the worse; for it was not the chiefs that led the people, but the people that led the chiefs. On

the whole, he considered the character of the disturbances totally different from the view taken of it by the noble Lord. If they could make Manchester like Moscow, and destroy all sources of our prosperity—if they could have done so, he would say, they would—they would have done so if they had not been prevented. And if Manchester had assumed a different character since March, it was through the operation of the measures that had been taken. If there was any reason why he called on the House to adopt the measure now, it was because he considered it essential to the preservation of property and morality, and to afford protection against all the anarchy and disorder that would arise from a revolution."

On the 30th, the Earl of Liverpool moved "that the amendment made by the Commons to the Habeas Corpus Suspension bill, limiting the duration of it to the 1st of March next, be agreed to:" which, after a short debate, was carried.

Opposition lost this year, by death, their acknowledged leader, Mr. Ponsonby, and the highly-respected and talented Mr. Horner. It was otherwise weakened by the separation of the friends of Lord Grenville and Mr. Fox on several important questions; particularly those connected with the suspension of the Habeas Corpus act, in which his Lordship warmly sup-

ported Ministers. Ireland was at least tranquil; and the finances of the country, though pregnant with difficulties, were slowly improving. No British ministry, in fact, had ever been more steadily seated in the public regard, than that of Lord Liverpool had now appeared to be, for a length of time.

The last public event of the year, which we shall notice, was felt almost as a private loss in every family of the empire—the sudden demise of her Royal Highness the Princess Charlotte of Wales. This melancholy event took place on the 6th of November, immediately after the birth of a still-born infant. The day of her funeral, though deeply mournful, will long be remembered as a proud day for the country: it displayed those feelings of attachment to the throne and the public institutions, united with a warmth of domestic and heart-felt sympathy in the peculiar loss of the royal family, which could be found in no other country: and which, perhaps, were never equally called forth in this.

CHAPTER X.

Opening of Parliament, 1818. — Observations on the Bank Restriction Bill. — Indemnity Bill proposed by Ministers. — Debates thereon. — Grants to the Royal Dukes on their Marriages. — The Alien Bill renewed. — Bill for erecting additional Churches. — Alterations in the Regency Bill. — Bank Restriction continued. — Allied troops withdrawn from France. — Death of the Queen. — New Parliament. — Duke of York made Custos Personæ. — Other arrangements in the Royal Family. — Consolidated Fund Produce Bill. — Roman Catholic Question. — Riots at Manchester and other places. — The Lord Chancellor's Traverse Bill. — Death of George III.

THE speech of the Prince Regent delivered at the opening of Parliament, 28th of January, 1818, alluded with great feeling and judgment to the recent sympathy of the nation with his Royal Highness's personal loss. It adverted to the improvement of our commerce, and the consequent return to tranquillity, in the disturbed districts; and called the attention of both Houses to the recent treaties with Spain and Portugal on the subject of the Slave-trade.

Lord Holland was anxious to learn, whether Ministers would not at once bring in a bill for the repeal of the Habeas Corpus Suspension act: when

The Earl of Liverpool said, that "if his Lordship had waited till the discussion of the address was over, he would have found that a noble friend of his, to whose department this business expressly referred, would rise to present a bill for the repeal of the Habeas Corpus Suspension act, and also to move to take the standing orders into consideration to-morrow, that the repeal bill might pass without any delay."

The topic of the operation of the Bank Restriction act was early canvassed in both Houses. Mr. Grenfell, in the Commons, and Lord Lauderdale (3d February) in the House of Lords, were anxious to learn, as the period for the restriction to be discontinued was at hand, whether that important measure was likely to be retarded?

Ministers in both Houses expressed a general belief that the Bank would be prepared against the appointed time, but hinted at a possibility of delay arising from foreign loans now negotiating in this country.

The Earl of Liverpool said, "he had uniformly held, and still did hold, that it was the interest of this country and of the Bank, that cash payments should be resumed as soon as possible. He must

also remark, that he was equally convinced, that the particular moment when the Bank ought to resume a regular course of payment, was a consideration of the greatest delicacy and importance:" and the matter passed without any farther present notice.

On the 25th of February, the Duke of Montrose brought forward a bill of Indemnity to protect all parties who had acted in apprehending or prosecuting persons suspected of high treason, under the last Suspension act.

Lord Lauderdale "conceived that this measure should at least be deferred until the report of a Committee appointed by the House of Commons, to consider the papers connected with the Suspension act had been made."

Lord Liverpool "saw no ground for delay in the objection stated by the noble Lord. If it was good for any thing, it would be equally good against the appointment of a committee to inquire into the conduct of Ministers, on the papers which had been submitted to them for consideration. The Committee had, by order of the House, examined the papers in question, and had come to an opinion, which was now on their Lordships' table. In pursuance of that opinion, his noble friend considered himself bound to introduce the bill which he had presented. Whether the bill was warranted by the report was the

question to be argued on the second reading. Their Lordships were not bound to regulate their proceedings on a measure of which they could know nothing, except through the medium of the votes of the House of Commons.

On the second reading of the bill, the Earl of Lauderdale moved, that the "fourth of March" should be substituted for the first of January, as the period at which the indemnity should begin. That was the period when the Suspension took place.

The Earl of Liverpool insisted mainly upon the principle, that "Government might upon its own responsibility take steps for the general security of the kingdom, before Parliament had passed the bills which it would afterwards be bound in strict justice to recognize. However, as he was not aware that any acts of this nature had been done antecedent to the meeting of Parliament, he should have no objection to limit the operation of the bill to the 26th of January, the day before Parliament met;" which was agreed to.

Lord Holland "meant to move that the word 'discharged' should be left out of the bill; but in consequence of what had fallen from the noble and learned Lord, he was induced not to press that motion. But if it was right that the magistrate, who had irregularly discharged persons from confinement, should be indemnified by Par-

liament, it was also right that the person so discharged, should have the advantage of a full discharge according to law. He therefore hoped, that if it was thought necessary that the word should be retained for the protection of magistrates, a proviso should be admitted into another part of the bill, securing persons of a different description."

The Earl of Liverpool replied, "that two principles were applicable to the bill; one to prevent the disclosure of testimony on which the magistrates had acted; the other to indemnify them for certain steps which they had taken when the country was in a state of insurrection. Now, no person could say that it was not the duty of the magistrates, under that act, to prevent such a purpose, and to detain individuals, and afterwards to release as many as they could, without danger to the public tranquillity. The question, therefore, was, whether under such circumstances they could properly discharge such as had been arrested without farther proceedings, though, perhaps, such discharge might not be strictly legal? If any question was more clear than another, he thought it was the propriety of arresting these persons in a moment of considerable danger, and the release of them, as soon as was consistent with the public safety. He thought this must appear on all sides the least exceptionable part of the bill."

Lord Erskine afterwards moved a clause, excepting "malicious" acts and prosecutions from the protection of the bill; which, the Lord Chancellor contended, would nullify it in effect altogether. "The public safety," he added, "ought to be secured with as little injury as possible to individuals, but without even being afraid of adopting harsh measures towards individuals, if such measures were necessary for the preservation of the state and constitution."

Marquess Lansdown proposed to except Ireland from its operation; when

Lord Liverpool said, "The clause relating to Ireland did not extend indemnity to the magistracy of that country, where the Suspension act did not operate: but he should have no objection to limit its operation in Ireland more definitely on the third reading."

This suggestion, however, does not appear to have been adopted, and the bill was passed finally —the Earl of Carnarvon moving that it be read that day three months; upon which a division took place, when the contents were 12; proxies 15—27; not-contents 45; proxies 48—93: majority 66.

A royal message, on the 13th of April, announced the intended marriages of the Dukes of Clarence and Cambridge, to the Princesses of Saxe Meinungen and Hesse-Cassel; and, soon

after, that of the Duke of Kent to the Dowager-Princess of Saxe Leiningen, sister of Prince Leopold of Saxe Coburg. The Prince Regent at the same time expressed "his reliance on the readiness of Parliament to make the necessary provision for the same." After lengthened debates in both Houses, 6000*l.* a-year were added to the incomes of each of the Royal Dukes; and a dowry of that amount settled on their consorts, should they survive them. But no application was made to Parliament on the marriage of the Princess Elizabeth.

Our relations with the Continent of Europe were throughout the year undisturbed: but Government still felt it important to preserve a check upon the influx of aliens into the country.

Lord Holland, anticipating the proposed renewal of the Alien bill in the Lords, moved, a few days before its appearance there, for papers on the subject of aliens and passports, and particularly for all correspondence between this and other Governments on the subject.

Lord Liverpool "found it necessary," he said, "on this occasion, (May 14th,) to oppose the motion, as being wholly unnecessary in any view of the subject to which the Alien bill related. Whenever that measure should come before the House, he should be ready to show the expediency of it, but this was not the time for so doing."

The noble Earl then touched upon the concerns of the French Government, which he contended, in the case of the three persons sent last away by the Alien bill, had not the least relation to their affairs. He then paid some attention to the Union of Holland with the Netherlands; and in conclusion said, that "he thought the noble Lord had made out no case to justify the address proposed."

When the bill was introduced by Lord Sidmouth, a singular addition was found necessary in regard to proprietors of the Bank of Scotland. By the Act of the Scottish Parliament establishing that corporation, it had been provided, that all foreigners purchasing a share in the Bank should become naturalized forthwith. The Lord Chancellor now therefore proposed a clause negativing the claims of any such parties from the 28th of April.

A petition was, on this, presented by the Bank Proprietors to be heard by counsel against the new clause: which Lord Grey and others pressed for.

Our Premier said, "the new clause was introduced on public grounds and for public objects; and, in point of fact, to remedy a strange oversight. In such a case the claims of individuals must yield to the public good. He could produce many precedents where, in cases of state necessity, it had been the duty of Parliament to legislate without

any regard to partial claims. A proposition so monstrous, so unheard of, he believed had never before been made in that House; and if their Lordships acceded to it, they would render of no effect a bill he deemed of the most vital expediency to the interests and existence of Great Britain."

The attachment of Lord Liverpool to the Established Church was uniform and ardent. He avowed himself, as we shall see, the parent of the bill for erecting an additional number of Churches, which came on for consideration in the House of Lords, on the 15th of May.

On this occasion, he first moved the reading of that part of the Prince Regent's Speech, which recommended an increase of the number of places of worship: this was accordingly done, when he moved for the second reading of the above bill.

He said that "a measure, which was the result of his own investigations, and of the deliberations of those whom he thought it his duty to consult, had come up from the other House, and was now to be decided upon by their Lordships. He should briefly explain the grounds on which the measure had been proposed, referring to the returns on the table of the House in support of his statement. The measure now before their Lordships, if it did not come up to the wishes of every man, would at least substantially effect what had been so long

desired. It would, in its results, have the most beneficial effects on the religion, morality, and general instruction of the country." He then took into consideration the aggravated statements which some persons had made of the number of churches which would be wanted to supply the demand; and he concluded, that one in three, or one in four, of the general population would be a sufficient allowance. He then went through the Metropolis, and several of the towns in which a superabundant population was accumulated; and calculated the means by which this additional number of churches was to be provided for. These were, in the first place, the Parliamentary grant of one million. To this might be added the exertions of public-spirited individuals, who were likely to come forward in aid of the general contribution; and from these sources he expected that from one hundred and fifty to two hundred Churches might be erected. He then touched upon the apparent advantage which the Dissenters possessed by building places of worship to any extent and without limitation, in which, he said, that "it was the duty of their Lordships to afford the Established Church the means of balancing them." He finally advocated the appointment of Commissioners for the purposes mentioned.

He afterwards professed his concurrence with an observation of Lord Grenville's, that while the

principle of the greatest possible accommodation to the largest number of persons should be preserved, respect should also be had to that mode of accommodation which was best calculated to inspire the devotion characteristic of the Established Church.

The bill then went through the Committee, and passed the House.

Additions to the Queen's Commissioners under the Regency bill were made this session, together with other alterations in the arrangements for the care of the King's person in case of her Majesty's demise. It will be sufficient to observe, that Lord Liverpool, in the debate on the Regency Act Amendment bill, "deprecated the notion that this measure was entered into on the ground of there being no probability of the King's recovery; on the contrary, he should regret," he said, "to see that such probability was ever considered as given up. With respect to the question as to the meeting of Parliament in case of the Queen's demise, every practical purpose would be answered by a clause, which his noble and learned friend intended to propose, for the purpose of limiting the period within which Parliament should, in that event, be summoned to meet."—It was fixed at sixty days.

Lord Liverpool himself introduced the Bank Restriction Continuance bill into the House of

Lords, on the 20th of May. He followed, in some measure, the arguments of the Chancellor of the Exchequer, particularly in declaring "that he considered the Bank fully prepared to pay in cash, and that the internal state of the country offered no obstacle to that measure; but pressed the necessity of the prolonged restriction on the ground of the stipulations of the French Government to pay, within a short period, more than £30,000,000 sterling." He concluded by saying "that he could not, consistently with the responsibility which attached to his station, consent to the return of cash payments at the present period, and he had therefore felt it an imperative public duty to propose the delay of one year."

The Earl of Lauderdale proposed as an amendment, "that, instead of fixing the 5th of July, 1819, as the term of restriction, it should expire six weeks after the commencement of the next session of Parliament"—but this was negatived; as well as an amendment of Lord Holland's, that on gold falling to 3*l.* 17*s.* 6*d.* per ounce, the operation of the bill should cease.

The business of the session was closed, and the Parliament dissolved by the Prince Regent in person. His Royal Highness, on communicating his intention of calling a new Parliament, adverted at some length, and with just exultation,

"to the important changes which had occurred since he first met the two Houses."

The most important event of the year, perhaps, took place in November, when on the 4th of that month, the Plenipotentiaries of the Courts of Austria, Great Britain, Prussia, and Russia, assembled at Aix-la-Chapelle, and addressed to the Duke of Richelieu, the French Minister, the following important document:—That their august Masters being called upon, by the twentieth article of the treaty of Paris, to examine, in concert with the King of France, whether the military occupation of a part of the French territory, stipulated by that treaty, ought to cease at the termination of the third year, or be prolonged to that of the fifth; had recognised, with satisfaction, that the order of things established by the restoration of the legitimate and constitutional monarchy of that country, gave assurance of the consolidation of that state of tranquillity in France necessary to the repose of Europe; and that in consequence they had commanded the immediate discontinuance of such military occupation,—a measure which they regarded as the completion of the peace.

On the 17th of this month, her Majesty Queen Charlotte expired at Kew, in the seventy-fifth year of her age.

This event rendered it imperative on the Regent to summon the new Parliament, which accordingly met for the despatch of business on the 14th of January, 1819. The speech delivered by the Commissioners stated, that "his Royal Highness was persuaded that Parliament would view with satisfaction the intimate union which so happily subsisted among the powers who were parties to the late Congress of Aix-la-Chapelle. In adverting to the papers relative to India, which the Prince Regent had directed to be laid before the two Houses, the Lords Commissioners had the commands of his Royal Highness to inform them, that the operations undertaken against the Pindarees were dictated by the strictest principles of self-defence; and that, in the extended hostilities which followed, the Mahratta princes were in every instance the aggressors."

The addresses were voted without opposition. The most important observation which they elicited was made by the Premier, who frankly stated in the Lords, that "there was one topic upon which, however unpleasant to his own feelings, he felt it proper thus early to be candid. He had no hesitation in saying, that in the present state of the pecuniary operations alluded to in the last session, he thought it impossible that cash payments could with safety be renewed on the 5th of July next. If such should be found to be the

case, it would be prudent to extend the Bank Restriction act till the succeeding session, when the whole question might be deliberately weighed, and finally decided on."

The subject of our memoir conducted through the House the various new arrangements now become requisite in the Royal Family. On the 25th, after moving the order of the day relative to the speech of the Lords Commissioners, and the death of the Queen, he mentioned "the wish of Ministers to commit the care of his Majesty's person to that individual to whom it was now most proper the trust should be consigned; and this person he did not doubt would be found in his Royal Highness the Duke of York. It was his intention to introduce a bill for placing the custody of the King's person in the hands of the Duke of York, subject to the assistance of a council." A bill for this purpose was then read a first time, and ordered to be printed. Next day, in answer to a query of Lord Holland's, as to the patronage connected with the office of *custos*, Lord Liverpool said, that "if the appointment made by the bill appeared proper, the conclusion to be drawn would be, that all the patronage, be it more or less, which belonged to the office, ought to be vested in the individual named in the bill. But, in fact, it was intended that the establishment at Windsor should undergo

a reduction, upon which principle the bill would be founded: as to the details of that reduction, they had no connexion with the present bill, which would come first before the other House." Some farther discussion then took place, in which Lord Holland said, that "he could not accede to the principle so broadly laid down by the noble Secretary of State, that all the patronage of the establishment ought to be vested in the person to whom the care of the King's person was intrusted. It would be to constitute an *imperium in imperio*." His Lordship pressed the same remarks on the third reading of the bill.

Lord Liverpool on this occasion said, (January the 27th,) that "their Lordships were now only proceeding to legislate on a part of the subject upon which no difference of opinion existed. They were all agreed as to the propriety of establishing the custody of the King's person in one of the Royal family, and also, that the Duke of York should be the person appointed. They were farther agreed in vesting in him the establishment to be settled upon him in consequence of such appointment. A difference of opinion might arise with respect to the amount of the establishment; but the best way of proceeding would be to appoint the Duke of York in the first instance, and to leave the other subject to a future occasion. The noble Lord had objected against giving to the

Duke of York the patronage of the establishment, when they did not know to what it was to be reduced. But the question was, whether they would refuse to the Duke, being *custos personæ*, the privileges that belonged to the character in which they were agreed that he should be placed." The blank left by the death of Lord Ellenborough was then filled up with the name of the Marquess Camden, and the bill passed.

February 5th, his Lordship called the attention of the House to a message of the Prince Regent, respecting the establishment of the late Queen; by which his Royal Highness placed the sum of 58,000*l.* at the disposal of Parliament, "and only asked that justice to be done to the servants of her late Majesty, which had been done in all former cases of the demise of a Queen. The allowances on this occasion might be estimated at 25,000*l.*; from which there would remain 33,000*l.* immediately at the disposal of the public; and it could not be supposed, that any of their Lordships would be disposed to resist a claim which was one of justice and liberality." He then moved an humble address to the Prince Regent, thanking him for his gracious communication, and assuring his Royal Highness, that their Lordships would not fail to pay due attention to the claims recommended by his Royal Highness to their notice.

On the Marquess of Lansdown expressing some doubt as to the legality of the Prince or his Ministers taking a sum voted for one branch of the Civil List, and applying it to another—

Lord Liverpool observed, "that when, from the votes of the other House, the matter came regularly before their Lordships, he should feel it his duty to give such explanations as the occasion might seem to require. With regard to the question immediately under consideration, he thought that their Lordships could not hesitate in adopting the principle laid down in the message, respecting the power of the Prince Regent in the disposal of the 50,000*l.* Having stated the grounds on which the principle of the message was supported by the act of Parliament, he had to add, that it never was his intention to take any unfair advantage of the state of the law." The address was then agreed to, *nem. dis.*

In the House of Lords, March 26, the Earl of Liverpool moved the second reading of the Royal Household bill. He said, "he understood that no opposition was intended to be made to the principle of the bill. After, therefore, having touched upon the main circumstances of the bill, he alluded to the grant of 10,000*l.* per annum to the Duke of York, which was the same amount as had been granted to the late Queen. He owed it to the Duke to state, that he had not sought for any such allow-

ance: but Parliament having thought it right to give the Queen 10,000*l.* per annum, as *custos personæ*, there could be no question that the Duke of York was fully entitled to the same allowance."

Lord Grey disputed this, and contended, both on this occasion, and when the bill was committed, on the 30th, that this allowance to his Royal Highness was both unnecessary in itself, and most unwisely proposed by Ministers.

Lord Liverpool in reply said, he would endeavour to meet the objections of the noble Earl. "The noble Earl had begun with stating his concurrence in the reductions of his Majesty's household; but at the same time brought a charge against the King's Ministers, for their tardiness in opposing those reductions when urged by himself and his friends. Now, nothing could be more unfounded than this latter accusation. From the year 1812, when the establishment was fixed by act of Parliament, to the last session, the subject was never brought forward. A bill was then introduced by a right honourable friend of his in the other House, which was rendered necessary by the state of her late Majesty's health; and then, for the first time, during eight years of the continuance of the act of 1812, was any objection made to its provisions. In the last session of Parliament, it is true, objections to the Windsor esta-

blishment had been pressed; but he felt, that reduction, in the state of her late Majesty's health, would have been most unbecoming and indelicate. He had a right, therefore, to say, that last session was not the proper time for the reductions now proposed.

"He had now to follow the noble Earl into another part of his speech, in which he accused him of changing his ground in defence of the establishment at Windsor. The noble Earl had said, that on the second reading of the present bill, he had stated a different reason for the expenses incurred under the Regency act, and in justification of the continuance of the Windsor establishment, from what had been stated in the act itself, or had ever been employed in its defence; namely, that the establishment was for the support of the Queen's dignity, as well as that of his Majesty; and that if provision had not been made for her in that way, as Queen consort, she must have put the nation to nearly as much expense by providing the dower to which she would have become entitled on the demise of his Majesty. I," said Lord Liverpool, "am prepared to support this position; nor do I think that I am involved in any inconsistency."

The conclusion of the noble Earl's (Grey) observations adverted to that clause of the bill which provided the grant of 10,000*l.* to the *custos*.

Lord Liverpool strongly contended that the privy purse was as much the King's private property, as any of their Lordships' estates were theirs, and ought no more to be violated than the property of the meanest subject. He farther said, that to meet contingencies, Parliament had declared that the *custos* ought to have 10,000*l.* a-year; and the question therefore was, whether in the teeth of an unanimous resolution, they would resume the grant which they had previously voted."

After several other Peers had spoken, and Earl Grey had declared himself unconvinced by the arguments of the Premier, the clause for granting to the Duke of York 10,000*l.* a-year was agreed to without a division; and the bill went through the Committee.

Lord Liverpool considered the finance measures of his administration committed particularly to his care in the Upper House. The Chancellor of the Exchequer having introduced and carried through the House of Commons, the Consolidated Fund Produce bill, its principle was explained by him in the House of Lords on the 29th of March.

Lord Lansdown, after observing that "the public were indebted to the spirited efforts of a member of the other House (Mr. Grenfell) in fact, for the principle of this measure, only lamented

that it was not carried to a greater extent. Why was it not applied to the balances of the Customs and Excise, of which at least three millions might be made available each quarter in the same manner?"

The Earl of Liverpool replied, that "the question as to the advantage the public ought to derive from the balances deposited in the Bank had been very fully considered in 1807 and 1808, when the Bank proposed to advance a loan of three millions without interest, which it was then thought advisable to accept, rather than the other alternative. With regard to the average amount of the balances in question, it was probable that the sum would be ultimately not less than four millions. As to the balances to which the noble Marquess had alluded, he had no difficulty in stating that it had not been thought proper to extend the principle farther at present, while an inquiry was going on, which had for its object the affairs of the Bank."

The bill was now read a third time, and passed without any further observations.

Mr. Grattan again brought forward the Roman Catholic claims this session. He contended, in a most eloquent speech, that the Roman Catholics had a common-law right to eligibility; that the Parliament had in justice no right to require them to abjure their religion; that the Roman

Catholic religion is no evidence of perfidy or treason; that you reject the Roman Catholics for what they have abjured, and require of them to abjure that which does not belong to the cognizance of the civil magistrate.

He concluded in the following characteristic manner:—"Our prince is, on the part of his father, the supreme head of the church; we are his national council, and have a right to advise him. I avail myself of that privilege, and say to him, My prince, my master, you must take the lead in the deliverance of your people. Your predecessor, the Plantagenet, conquered on the Continent, so have you; but then they confirmed the great charter thirty times: your other predecessor, the Tudor, saved Holland; but then she passed good laws without number: the Hanover, and under your direction, has carried Europe on his back; but then a great work still remains for the fulfilment of this glory. A fourth part of your subjects are now before you. Come, the destinies of the house of Hanover are waiting for you; come, be the emancipator of the Catholics, as you have been the deliverer of Europe, and look in the face the Plantagenet and the Tudor."

Mr. Croker, of the Admiralty, seconded the motion for a Committee of the House to take the Catholic claims into consideration.

The Earl of Donoughmore, May 16th, called the attention of their Lordships to the subject, and again went over arguments for the measure, to which we have already adverted at considerable length. The most important part of the debate was conducted by the Lord Chancellor and Earl Grey.

Lord Liverpool, who followed Earl Grey, "found little," he said, "to add to the arguments of the Lord Chancellor. He fully subscribed to that system which maintained itself by a Protestant religion with a Protestant monarchy and a Protestant parliament."

During the whole of this session of Parliament, and the months intervening between its early and later sitting, the internal peace of the country was much disturbed. Numerous portions of the lower, or what came now to be termed "the operative" classes, were clamorous for a radical reform of Parliament as the only remedy for their alleged grievances. The speech from the throne, proroguing the House, noticed "the attempts which had been made in some of the manufacturing districts, to take advantage of circumstances of local distress to excite a spirit of disaffection to the institutions and government of the country."

Meetings at length took place at Manchester, Leeds, Stockport, &c.: and at the first of these places 50 or 60,000 persons assembled on the

16th of August, many of them bearing banners with "Universal suffrage," "No Corn laws," "Equal representation or death," &c. inscribed on them. A Mr. Henry Hunt was chairman; and the Manchester magistrates thought proper to arrest him on the spot, calling in the aid of the Yeomanry cavalry of the district.

Government, before the merits of the case were fully known, sent a letter of thanks to the magistracy, yeomanry, &c.

This affair, and the bills for preventing seditious meetings and practices, became the principal topics of discussion on the meeting of Parliament in November. In the debate on the address Lord Lansdown intimated his intention of moving for a parliamentary inquiry into the Manchester business.

Lord Liverpool said, "after this notice he should not go into the details of that business, but he insisted, 1st, That a meeting, say of 20,000 men, disposed in military array, marching in military order, and coming to one spot with banners and streamers upon which might be read, "Equal representation or death," was *ipso facto* an illegal meeting. 2nd, That the Manchester magistrates did not disperse it until it had assumed this formidable character. 3rd, That the juries of the county, as respectable as those of any other part of the kingdom, had supported on their oaths this

view of the subject. While the institution of juries was to be upheld, he would say, let not their decision be trifled with."

The bills we have alluded to, were what have been since called the Five Acts, *i. e.* 1st, To punish the author or publisher of a blasphemous or seditious libel, on a second offence, with fine, imprisonment, or transportation. 2nd, To impose the newspaper duty on tracts under a certain size. 3rd, To require notices, signed by seven householders, of all political meetings, and to confine them to the inhabitants of the place. 4th, To prohibit military training; and 5th, For the seizure of arms.

On the 29th of November, a bill was proposed to their Lordships by the Chancellor, rendered necessary, as he contended, by the commotions of the times. Its object was to take away the right of imparle, or traverse, in indictments for misdemeanor, &c.

Lord Erskine opposed the bill as depriving the people of an ancient and most important right.

The Earl of Liverpool observed, "he was convinced, that if their Lordships did not pass this measure, they had better at once declare, that every kind of blasphemy and sedition was to be tolerated in future. Persons charged with the higher crimes were, in most instances, put on their trial immediately, whilst in lesser crimes, a

delay might be claimed sometimes extending to a year. Such delay appeared less likely to prove injurious in the more atrocious crimes, because in them the person of the offender was secured; but in cases of libel, the offence might be repeated day after day, and hour after hour, before the party was brought to trial."

Lord Holland suggested the propriety of attaching to the bill some clause compulsory on the Attorney-general to proceed in ex-officio informations; a suggestion which the Chancellor, on the third reading of the bill, was found to have adopted. If the trial of a defendant did not take place within twelve months from the time of pleading, he might then call upon the Crown to proceed within twenty days, or enter a *nolle prosequi*. Lord Holland acknowledged the handsome manner in which his observation had been received; and the bill passed. It likewise passed in the Commons without opposition.

At length (29th January, 1820) the venerable Monarch, under whose particular favour the family of Lord Liverpool had risen to its present honours, departed this life. No man better knew, or more highly appreciated, the private virtues and public conduct of the deceased Sovereign than his Lordship. He had, as we have seen, been honoured with a remarkable share of the Royal confidence: it was as openly as it was decidedly given; and

that it was the constitutional preference of a patriotic prince cannot be better proved than from its being continued to Lord Liverpool by his successor.

There were, however, remarkable features of mental and moral likeness in this case: and these, while princes are human, will account even for their attachments. The same soundness of understanding, and the same firmness of purpose—not to be beguiled out of what was understood, and not to be induced to act without the understanding—distinguished the Royal master and his faithful servant: the same steadiness in their greater attachments, and, we may add, in their few decided aversions: the same contempt of intrigue, the same noble consciousness of living above it: above all, an uncompromising honesty of principle, which adds dignity to any station, and which, while the unthinking and unprincipled are naturally slow to acknowledge, all men must approve, and did acknowledge in both cases at last.

George III. stood for some time alone amongst the Sovereigns of the earth as to the lengthened period of his sway—and Lord Liverpool, at the moment of his late calamity, was the oldest Premier in Europe.

CHAPTER XI.

Accession of George IV.—Ministers reinstated.—Dissolution of Parliament.—New Parliament meets in April.—Sir James Mackintosh's alterations of the Penal Law.—Lord Stanhope's proposals for alleviating the Mercantile Distresses.—Lord Liverpool's reply.—His speech on Foreign Commerce.—Arrival of the Queen, and its consequences.—Subject of the Foreign Trade renewed.—Motion of Earl Grey respecting Naples.—Mr. Plunkett's Catholic Bill.—Cash Payments Bill.—Death of Lady Liverpool.—Preparations for the Coronation.—Queen's Application thereon.—Coronation.—Queen's Death and Funeral.—First meeting of Parliament in 1822.—Lord Liverpool on the Agricultural Distresses.—On the state of Ireland.—On the Catholic Peers Bill.—On the trade with the Spanish Colonies.—On the revolt of the Greeks.—Death of Lord Londonderry.—Second Marriage of Lord Liverpool.—Opening of 1823.—Conduct of France and the Allies respecting Spain.

GEORGE IV. at the period of his accession, had exercised the sovereign power nearly eight years. He had freely and solemnly decided on the policy he would adopt, and the administration to whom the interests of the country should be committed. While the public had become acquainted with his habits and feelings toward all the great political

parties, he had directed their energies and witnessed their exertions through a long series of unexampled difficulties. There was now a just and universal feeling that the greater portion of these difficulties had been overcome; and the Prince, the administration, and the people, were never more happily united.

The usual changes of a new reign were not looked for, therefore; and when Lord Liverpool and the Ministers resigned their seals, *pro forma*, on the morning after the late King's demise, they were severally re-instated in their respective offices.

The King, on the day of his being proclaimed, (January 30,) was rather alarmingly attacked by inflammation on the lungs; in nine days, however, he was declared convalescent.

Parliament, in the interim, met, as required by the common law; but was entirely occupied with the swearing in of members until the 2nd of February, when both Houses adjourned to the 17th; the funeral of his late Majesty being appointed for the 16th of that month.

Lord Liverpool brought down a message from the Crown on that day, stating his Majesty's opinion, that taking into consideration the state of the public business, it would be expedient to call the new Parliament prescribed by law, forthwith.

This measure, on the following day, produced some discussion in both Houses. Opposition contended that Parliament never had been so suddenly dismissed; and when the House of Commons resolved on certain financial arrangements by votes of supply, Lord Lauderdale (February 23,) considered that step as a breach of the privileges of the Lords; and moved the House to that effect.

Lord Liverpool defended the conduct of the lower House, on the ground, that, in practice, the sums wanted for the various branches of the public service were always applied under the authority of their votes, and that frequently, in a long session, half the money was expended before the Appropriation bill was brought up. Though, therefore, he saw no necessity for coming to any resolution on the subject, yet to meet the views of those who might think otherwise, and to assert the privileges of the House, he proposed to substitute for the latter two of Lord Lauderdale's resolutions, "a vote declaring that the Lords, from the state of the public business, acquiesce in the resolutions of the House of Commons, though no act may be passed to give them effect."

Their Lordships considered this amendment sufficient to protect their privileges, and it was carried.

Commissioners prorogued both Houses on the 28th of February, and Parliament was dissolved by proclamation on the 13th of March.

The speech on the former occasion noticed the continuance of those seditious "designs and practices," which the legislature had been recently called upon to repress; and instanced the "flagrant and sanguinary conspiracy" just detected in proof of it.

This was a most atrocious and extravagant plot of one Thistlewood, and about thirty associates, to assassinate the whole of the Cabinet Ministers. For the credit of the country, it may be added, they were not connected, as it appeared, with any other party or body of men; but their scheme was diabolically desperate. The Ministers, it was known, were to dine, on the 23rd of February, at Lord Harrowby's, in Grosvenor Square; where it was arranged that one of the conspirators should take a note, and when the door was opened, that an appointed number should rush in, seize upon the servants, and murder the assembled Ministers. They then projected a revolution in the Government, setting fire to London in several places, &c.

Ministers, however, obtained intelligence of the plot: the dinner was prepared and the conspirators assembled, when, at the sacrifice of a brave police-officer's life, they were most of them taken.

Thistlewood, with four others of the ringleaders, suffered the sentence of the law.

The new Parliament met on the 21st of April: the alleviation of the mercantile distresses, and improvements in our internal polity, furnished the predominant topics of the session.

We first find Lord Liverpool discussing the bills of Sir James Mackintosh for mitigating certain parts of the Penal Law. By two of these bills, he proposed to repeal that part of our code which made it a capital offence to steal privately in dwelling-houses to the value of forty shillings, and in a shop or warehouse to the value of five shillings: a third bill took away the capital punishment for the offence of stealing on navigable rivers.

Lord Liverpool on this occasion observed, "that the great defect in our criminal legislation, in its present state, was the want of a secondary punishment of sufficient efficacy. Several years ago, when transportation was a removal either into a noxious climate in Africa, or to a state of servitude in the North American colonies, it excited some degree of terror. Now, however, the system was entirely changed, and the colonial office was besieged with applications from persons wishing to settle in New South Wales. It was in vain, therefore, to talk of transportation as carrying with

it any degree of terror. The fact was, that to the class of offenders to whom in general it was to be applied, it was an object of indifference, or even of desire, rather than of apprehension. The committee with which these bills had originated, had begun their inquiries, as he thought, at the wrong end. Before they rejected the penalty which the law now inflicted, they ought to have directed their attention to the discovery of some secondary punishment calculated to inspire such a degree of fear as would, in a number of cases, serve as a substitute for the terror of death."

The bills, however, passed, with some modifications from the Chancellor.

The subject of this memoir now took a decided part in opposing what he considered futile and dangerous expedients for the relief of the manufacturers; while we find him, during this sitting of Parliament, first developing those liberal ideas on the subject of foreign commerce, which finally distinguished his administration.

To Lord Stanhope's expedients of promoting the fisheries, bringing waste lands into cultivation, and limiting the use of machinery, he replied, that "though he admitted the extension of our fisheries would always be advantageous, he must, on the other hand, contend, that the encouragement of them had been carried as far as possible, and declared, that he should be happy to listen to

any practicable plan of procuring a greater supply of fish, and an adequate market for it. As to the cultivation of waste lands, the impolicy of such a mode of investing capital could scarcely admit of a doubt. Capitalists should be left to find out the way in which their funds could be most profitably employed; for here the interest of the individual coincided exactly with that of the public. A great part of the pressure under which the country laboured, arose from the quantity of poor soils which had been brought into tillage; so the proposed remedy would, in fact, be an aggravation of the evil. Was it, again, consistent with the dignity of Government to descend to agricultural speculations—and were the public burdens to be increased, that a constant series of losses might be sustained in cultivating land?

"But of all the parts of the plan, that which related to the use of machinery was the most extravagant, and the most completely at variance with every principle of sound political science. Next to the spirit of her people, England was indebted for her commercial power and greatness to her machinery. It had given, as it were, legs to the lame, and sight to the blind; it had inspired the dull with enterprise, and to the enterprising had given additional energy; it had placed the country, in spite of all its disadvantages, on a

level with the most favoured nations, and had enabled its merchants, who paid a heavy price for labour, to compete with those of other nations, who paid but a trifle for it. Did his noble friend conceive that the commercial greatness of England had arisen from any superior advantage in its climate, any superior fertility in its soil? No. He might go to the east, or to the west, to the north, or to the south, and find climates of more genial influence, lands of much richer quality; but he would not find in their boundaries men whose mind was a richer treasure to the land which contained them, than any which either soil or climate ever produced. He would find, that they did not number amongst their inhabitants, a Watt, a Bolton, an Arkwright, and many another name to which England was indebted for its present greatness—men who were as useful to their country, in their generations, as any of the legislators of old were in theirs."

Lord Lansdown's motion for a Committee to consider the means of extending and increasing the Foreign trade of the country, gave our Premier occasion to introduce his ideas on the subject of a freer commerce.

In the first part of his speech in this debate, he endeavoured to prove, that "the existing distress was not produced, nor accompanied by any diminution of our internal consumption, except in

the article of wine. This he did, by comparing the quantities of tea, coffee, tobacco, malt, candles, hides, soap, salt, bricks, consumed in the year ending April 1820, with the average consumption of the three preceding years. On looking, however, to the state of our exports, he admitted, that there a considerable diminution had occurred. The exports of the last year had fallen below the average of the preceding three years, by more than seven millions. About a sixth part of this diminution affected our European trade; but of that sixth, one-half was in the article of sugar, with which the Continental market was now in some degree supplied from the Brazils and the colonies of foreign countries. It was chiefly in the trade with America, that the diminution had occurred." His Lordship then proceeded to the consideration of the topics which Lord Lansdown had discussed. "He admitted most fully the advantages of a free trade; but we had grown up under, though in spite of, a system of restrictions, from which it was impossible hastily to depart. In the actual condition of our affairs, with our present load of debt and taxes, an immediate recurrence to first principles would unhinge the value of all property. *Our laws with respect to agricultural produce* alone threw an insurmountable obstacle in the way of complete freedom of trade. With the exception of wine, and a few

other articles, we will not receive the commodities which other countries wish to give us. Nor, under existing circumstances, could we depart from this part of our system. No one could dream of at present admitting foreign agricultural produce freely into our ports.

"He admitted, at the same time, that our restrictive system might, in some degree, be modified, and that those parts of it in particular, to which Lord Lansdown had turned their Lordships' attention, ought certainly to be re-considered, and might probably be partially altered without much inconvenience. His own opinion was, that if all the laws with regard to wool, for instance, were repealed, our woollen manufacture would not be injured. The same observation might be applied to our cotton manufacture; but, with regard to silk and linen, there was ground for hesitation. A free trade would put an absolute end to the former. No doubt it might be matter of regret, that a silk manufacture ever was established in this country. It would have been much more natural to import it from France, in exchange for some other commodity. But, when he considered the extent of that trade, the artificial encouragement it had received, and the number of persons it employed, (fifty or sixty thousand,) he confessed, he saw no way of getting rid of it. On the propriety of placing the trade

in timber with the north of Europe on a more advantageous footing, and of extending and improving the warehousing system, so as to give every facility to the transit commerce of the country, the noble Earl concurred with Lord Lansdown. He was not, however, equally sure of the prudence of equalizing the duties on French and Portuguese wines. On our adoption of such a measure, Portugal would be entitled to exclude our woollens; and it would, therefore, be well to consider the value of the benefit which we were actually enjoying, and which would be endangered by the proposed alteration of system. During the five years that followed our commercial treaty with France, in 1787, the average annual amount of our manufactures imported by Portugal was only 50,000*l.* less than the amount exported to France, and equal to the whole exported to Spain.

"Portugal and the Brazils," he continued, "now presented to us a growing and increasing trade of four millions sterling; and he stated this circumstance, not with a view of resisting the noble Marquess's proposition, but in order to show what were the difficulties that interposed themselves between general principles and the practical application of them. The trade to the East Indies was to be looked at in two points of view; and in one of them, the carrying trade, he agreed

with the noble Marquess; as to the other, the increased demand for our manufactures, he much doubted whether the benefit anticipated would be derived from it. There was at present a very extensive demand for our manufactures on the continent of India, proving the great advantage of our machinery over cheap manual labour; for throughout the whole of India, British muslins were to be bought at half the price of those fabricated in the country. As to China, he much feared that any new attempts to introduce our goods would be as abortive as all the many previous endeavours. It was perfectly true, that the tea-trade between this kingdom and China was restricted to the East India Company; but this did not apply to the intercourse between India and China. Private ships, under licence, might bring tea to India, though not to England; and that licence, upon fit security, was never refused. At the present moment, a measure was in contemplation to open a direct trade between India and any part of Europe, Asia, Africa, and America, without the intervention of the Company. Malta had formerly been made a sort of emporium for this purpose; but in the present circumstances of Europe, he had no difficulty in saying, that, in British ships, any articles that could be imported from India, ought not to be conveyed through either Malta or Great Britain,

but carried directly to any part of Europe. Any farther extensions must depend, of course, upon especial and temporary circumstances. He did not think that the tea-trade of Europe was of so great value as the noble Marquess had considered it; but when that was acquired, at least it would be something gained to commerce, and, in the present state of the country, it certainly demanded attention."

His Lordship concluded with declaring "it was only to time and patience that he looked with confidence for remedies of the existing distresses; nor did he think that the measures suggested, though important in themselves, were calculated to produce any very extensive effect; but, in whatever degree they might operate, they were well worthy of consideration. That some general system was necessary, no man would deny; but he objected most strenuously to a continual tampering with great questions, and changing regulations, session after session, to comply with temporary emergency, partial interests, or unreasonable clamour. On such matters, the fewer the laws were, the better: those already on the statute-book were more than sufficient: some required alteration and amendment, and others might be altogether removed; but the undertaking would be attended with difficulty, and ought to be commenced with care. With perpe-

tual changes, neither foreign nations nor ourselves could know on what to rely; and distresses would be multiplied in a tenfold proportion."

We regard this as one of the most important speeches ever delivered by Lord Liverpool; it clearly contains the nucleus of the future liberal and enlightened commercial measures of his government.

The spring of this year was largely and painfully occupied by his Lordship in negotiations with the late Queen and her advisers. Lord Castlereagh well described them as involving "the most embarrassing questions which ever perplexed any government." Her Majesty's sudden and unadvised appearance in this country—the conduct of her friends—her great momentary popularity—the various propositions made for her retiring from the country, and their abortive issue, were all events with which England rang at the time; and in which the sympathy of that part of the public who were taught to consider her as a defenceless, injured female, cannot be regarded as discreditable to them.

These events were followed by the Bill of Pains and Penalties against her Majesty, and the examination of witnesses in support of it at the bar of the House of Lords.

That unfortunate branch of the House of Brunswick is no more; and all the public interests once

connected with the question of her guilt or innocence have expired with her. Aiming therefore, as we do, at affording the reader a sketch only of the great events of Lord Liverpool's public life, we shall not enter into the details of her case: they became, happily, of no permanent consequence to the country.

Lord Liverpool advocated on this, as on all other occasions, "the straight-forward course." He sincerely imbibed the conviction of her Majesty's guilt; and while he would gladly have avoided the public discussion of the question, he felt that the conduct of the Queen left to his Majesty's Ministers no alternative but to bring forward the grounds of this conviction. He corrected, we believe, his published Speech now before us, on the second reading of the bill of Pains and Penalties: his language was—"Admitting, my Lords, that we are so situated, that we are in some measure compelled to make a choice between evils; I say, that in this case, as in most cases, the straight-forward course is the most expedient to pursue. There may be inconveniences, my Lords, in going on with this bill; but, if you believe her Majesty guilty, you are bound by every just and moral consideration not to stop here. I say, let the consequences be what they may, if you believe her Majesty guilty, you are bound to agree to the second reading of this bill. A noble Earl alluded

to the clamour which has been raised on this subject out of doors, and to the public discontent and ferment which the adoption of the measure would create; and the Counsel at your Lordships' bar very justly adverted to the attempts made by seditious and disaffected men to take advantage of the popular feeling which has been excited, and to convert it into the means of effecting their own infamous purposes. Undoubtedly, my Lords, this is too true. Undoubtedly, in times like the present, every public misfortune, every supposed public grievance, is laid hold of with eagerness by those whose object it is to overthrow the constitution of the country. It would be most unjust to lay this at the door of her Majesty, or to suffer her cause to sustain any prejudice in consequence of it. . . . . "Far be it from me to say, that any prejudice should be excited against her Majesty on that account, which might in the least interfere or weigh in the decision of the great question before your Lordships; but, after what the noble Earl dropped on the subject of popular clamour, I could not allow this part of the subject to pass entirely without remark. The only observation which I wish to impress on your Lordships is this, —that if you believe her Majesty guilty, and that if you believe your not proceeding with this bill will give a triumph to guilt, no base principle of fear

ought to prevent the firm discharge of your duty." —He thus concludes his speech: "I am content to be judged by your Lordships, I am content to be judged by the public at large, as to the whole of my conduct in the course of these proceedings. I appeal to HIM who alone knows the secrets of all hearts, and who can alone unravel all the mysteries and intricacies of this great case, if the judgment which I have given is not true—if it is not at least founded on a sense of integrity, and on a most sincere wish to do justice in mercy;—not with any disposition to visit the illustrious individual accused with a harsher measure of punishment than NECESSITY requires; but with an anxious desire—a desire which I am sure is entertained by all your Lordships—to do justice, in this most important cause, between the CROWN, the QUEEN, and the COUNTRY."

The unhappy business just adverted to, had withdrawn the attention of Parliament this year from several important topics both of foreign and domestic policy. Early in 1821, its investigations with respect to our foreign trade were renewed in both Houses; Mr. Wallace moving on the 6th of February, in the Commons, for a Committee on the subject; and Lord Lansdown making a similar motion, on the 21st of that month, in the House of Lords.

Lord Liverpool was chiefly at issue with the noble mover on the causes of the existing embarrassment in our commercial and other relations. "On a former occasion, he had contended that there was not, in point of fact, any diminution of consumption in this country; and he was still prepared to dispute that that could be the cause of our embarrassments, as stated by Lord Lansdown. He would appeal," he said, "to the official returns of the chief exciseable articles consumed in each of the four years ending the 5th of January 1821, and compare the consumption of the last year with the average of the three preceding years. There were no means of extending the estimate to the important articles of bread and butchers' meat; but it comprised beer, candles, coffee, hides and skins, malt, pepper, salt, soap, British and foreign spirits, tea, tobacco, wine, and sugar; and it was no unreasonable inference to say, that there was little probability of any diminution in the consumption of the prime necessaries of life, so long as no diminution took place in the consumption of commodities less essential to human sustenance. Thus, he contended, it was evident that in all the great articles of consumption which were burthened with taxes, an increase had taken place: a circumstance which afforded the consoling reflection, that amidst all our embarrass-

ments, the general comforts of the people had not been lessened."

The Marquess of Lansdown presented, on the 11th of April, a valuable report from the Committee on Foreign-trade.

Upon another branch of our foreign policy, the Whig leaders and the Government were not so happily agreed.

On the 20th of February, Earl Grey called the attention of the House of Lords, in a speech of great length and ability, to the recent revolution in Naples, and the measures of the Holy Alliance. He also severely animadverted on a paper issued by the British Government, favouring, as he contended, that confederacy, and the suspension of all friendly intercourse with Naples.

Lord Liverpool said, "he was far from regretting that the noble Lord had brought this business forward: an opportunity was thus afforded him of explaining and defending, if it required explanation or defence, that circular communication on which he had commented, and also of answering the general observations which he had thrown out. The circular of the 19th of January, he would contend, contained a clear, distinct, and intelligible exposition of the views and sense of Government on the matter to which it referred, and the principles on which the Allies professed

to act. Although he had been willing to grant the papers moved for by the noble Earl, he could not sanction a motion which was introduced for the purpose of censuring the conduct of Government, without appearing to allow the justness of that censure.

"The noble Earl alluded to what was called—'The Holy Alliance.' He (Lord Liverpool) knew not for what particular purpose the noble Earl had made that allusion, as it was an alliance *to which this country was not a party.*' Whatever objection the people of other countries might have to that alliance, to us at least its existence was harmless. The noble Earl seemed to think that it was connected with this Government in some secret manner. He could assure the noble Earl, that his apprehensions were unfounded. There was no mystery, difficulty, or doubt about the conduct of the English Government. No arrangements had been made with any foreign power, except those which were regularly laid before Parliament. There never had been any arrangements with this country respecting the operations of foreign powers, growing out of the treaty, of Paris, or out of any other treaty that had not been laid on their table, and of which noble Lords opposite had not full and perfect cognizance.

"The noble Earl's objection came to this—that Ministers, in giving their opinion, and in stating

that they disapproved of the mode and circumstances under which the revolution at Naples was effected, did that which they had no right to do. He had no difficulty in stating that he was friendly to that expression of opinion. If the noble Earl would look to the ground of the revolution at Naples, he would see a variety of circumstances which made it not only proper, but indispensably necessary, that Government should publish its disapproval of those proceedings. In the first place, that revolution was effected by *a military mutiny;* and, in the next, the Spanish constitution was adopted under the most extraordinary circumstances. He admitted that neither of these circumstances would afford just ground for an interference in the affairs of another country, since it was allowed that every state had a right to conduct its own affairs as it pleased, provided its transactions did not affect the tranquillity of other states. But still, if the military mutiny, or the adoption of the Spanish constitution, under such circumstances, appeared to be objectionable, he maintained that he had a right to express that opinion, while he, at the same time, stated that those two transactions did not afford a just ground for interference." His Lordship afterwards adverted to the oppressive conduct of the Neapolitans to the Sicilians, as a vital objection to the recognition of their late movement, and as furnishing

just grounds for the jealousy of foreign Governments.

"There were grounds," he contended, "on which foreign countries were justified in interfering with the internal affairs of other states. He was not standing up to justify the conduct of the Allies in that respect. It was sufficient for him to say, that he saw no cause for the interference of this country: but there was ground also for the interference of the Allies, which he was surprised the noble Earl had overlooked."

Earl Grey, after being ably supported by Lord Holland, would not, in the present temper of the House, press his motion to a division.

Sir James Mackintosh brought forward this topic with even more than his usual eloquence in the House of Commons, and was replied to by Lord Castlereagh. That noble Lord added, that "though Ministers could not receive Prince Cimitelli, in his public capacity as Minister of Naples, they had not refused him those attentions, or to make those communications with him, which his high rank, no less than his respectable character, demanded."

Lord Lansdown renewed the subject in the House of Lords, on the 2d of March, and divided the House on a proposed address to his Majesty, expressing its satisfaction that England had declined becoming a party to the measures of the

Alliance; and its hopes that his Majesty would exert all his influence with the Powers, to prevent or repair the consequences of measures which seem to aim at "the independency of sovereigns and the security of nations."

Lord Liverpool at this time expressed his regret at the declaration of the three Allied Sovereigns, and his condemnation of the principles there laid down, but maintained that we had observed a strict neutrality. We took no part against the revolution, because it endangered none of our interests: but had we any right to prescribe a rule of conduct to Austria? Would it be wise to deal in remonstrances, unless we were prepared, in case they were neglected, to enforce them by arms? The result of the debate was—for the address, contents 37; not-contents, 84.

The advocates of new concessions to the Catholics obtained this year a considerable triumph in the House of Commons. On the 3d of April, Mr. Plunkett's consolidated Catholic bill, having passed that House, was brought up by Sir John Newport and an unusually large number of the Commons to the House of Lords. It was debated on the 16th, and the following night.

Lord Donoughmore, on moving the second reading of the bill, explained and defended its general principles. It removed two distinct dis-

qualifications of the Catholics: that arising from the oath of supremacy, and that arising from the declaration against transubstantiation; excepting only from the operation of this part of the bill, the office of Lord High Chancellor, Lord Keeper or Commissioner of the Great Seal, and the Lord Lieutenant, Lord Deputy, or other Chief Governor or Governors of Ireland. The second part of the bill was designed to regulate the intercourse of the Roman Catholic clergy with the See of Rome; providing that no person should hereafter officiate as a bishop or dean of that Church in any part of the United Kingdom, whose loyalty and peaceable conduct should not have been previously and satisfactorily ascertained by Government. His Lordship, in introducing the bill to the upper House, only proposed to make the Commission for the purpose of receiving and considering the rescript of the See of Rome, for England and Ireland, a joint one; and that its lay-members should permanently consist of certain great officers of the Crown, and be attached to the seat of Government.

The Peers who spoke in favour of this bill were the Duke of Sussex, Lord Harrowby, Lord Grenville, the Marquess of Lansdown, Lords Melville, Ashburton, and Somers, and the Bishop of Norwich. The opposition to it was headed by

the Duke of York, who was followed by the Lord Chancellor and Lord Liverpool.

The last noble speaker said, "There were not three lines in the bill with which he could agree. They should protect the Protestants as well as the Catholics of Ireland: not that he believed this bill would have any effect whatever on the great mass of the population of that country. He once more professed his love of toleration, but considered it a more manly course in him again to declare at once, that in his opinion the Privy Council and the Parliament should be kept as they were, than to encourage hopes and expectations which might never be realized."

Our Premier had the pleasing task, in May, of moving the third reading of the Cash Payments bill. By the existing act (of 1819) on that subject, the Bank was entitled to issue gold coin on the 1st of May 1822, and was bound to resume cash payments on the 1st of May 1823. So well, however, had that corporation anticipated the mind of Government and the Country on this subject, that in March this year the Chancellor of the Exchequer introduced this bill to authorize the Directors to pay in cash, if they pleased, on the 1st of May.

Lord Liverpool explained that the object of the Bank was, in the first instance, to substitute gold

for the one-pound notes, the amount of which was between six and seven millions. He vindicated, in opposition to Lord Lauderdale, the measures taken to establish an efficient sinking fund, to the amount of five millions. "A compulsory reduction of the interest of the debt would be monstrous injustice. A depreciation of the currency would be only doing the same thing," he added, "in a more objectionable mode; Ministers were of themselves disposed to make all practicable retrenchments. The best course would be to try the effect of the present bill for one year."

And thus was accomplished that important approximation to a sound state of the currency, upon which the mind both of the first and second Lord Liverpool had been so long most anxiously occupied. That considerable improvements might have been made in the details of the measure, cannot be denied; but it is to be remembered, such a suspension of cash payments had never previously occurred in the history of a civilized state, accompanied with the continuation of the public credit, and that no precedent existed of any return of this kind to a metallic currency.

On the 12th of June, 1821, Lord Liverpool was deprived by death of his first amiable and excellent lady: various official duties claimed his attention in the autumn, particularly in the King's absence; but his Lordship was a real mourner,

and we find him bearing no prominent public part even in the Coronation.

Parliament was prorogued by commission on the 11th of July, the 19th being previously fixed for the Coronation of his Majesty. Upon the appearance of the proclamation appointing the latter ceremony, the Queen addressed a letter to Lord Liverpool, desiring to be informed what arrangements were made for her accommodation, and who were appointed her attendants.

The official answer returned, stated, that it was a right of the Crown to give or withhold the order for her Majesty's coronation, and that his Majesty would be advised not to give any directions for her participation in the arrangements. The Queen insisted, in reply, on her right, and declared her resolution of attending the ceremony. To this a firm but respectful answer was returned, re-asserting the legal prerogative of the Crown, and announcing that the former intimation must be understood as amounting to a prohibition of her attendance.

After an argument before the Privy Council which ensued, the Committee of that body reported, that the Queens consort of England were not entitled of right to be crowned.

The splendid ceremony of the Coronation followed, and the ill-advised Queen in vain endeavoured to disturb it. It was her last public ap-

pearance, with the exception of a visit in August to Drury-lane Theatre. On her return home, on the latter occasion, she was seized with an inflammation in the bowels, which medical skill in vain endeavoured to overcome; and died at Brandenburgh House, Hammersmith, on the 7th of that month.

The King had at this period embarked for Ireland, and on Lord Liverpool devolved the painful office of directing the measures to be adopted as to her Majesty's funeral. In these he endeavoured to consult the conflicting feelings of all the parties interested, while he felt his duty to the Crown the paramount consideration. The perplexities occasioned by the executors—the ladies' mourning dresses—and the popular determination to force the funeral through the city of London, we need not detail. The most considerate men were taken by surprise, and no man of right feeling could have anticipated a party quarrel over the last sad relics of a deceased princess. Government was thus very accountably unprepared to support its own directions; but the triumph of insubordination, though countenanced by the Mayor and Corporation of London, was momentary; and it terminated the quarrel between the King and the people.

Parliament had no second meeting in the year 1821. The King opened it in person on the 5th

of February of the following year, congratulating the Houses on the general peace of Europe, and mentioning the satisfaction he had received from his late visit to Ireland. He noticed, however, the sad fact that outrages and various flagrant violations of the law were still occurring in that country; the depressed state of the agricultural interest, and the rupture which had recently taken place between Russia and the Porte.

The address in the Lords was carried without opposition.

Lord Liverpool delivered his sentiments at considerable length, on the 26th of this month, on the subject of the agricultural distress. "The motion he should conclude with making would be," he said, "for information; at the same time he felt it might be properly introduced by a few observations on the general state of the country." He remarked upon the singular union of increasing population, with both agricultural and manufacturing distress. "He could not believe," he said, "that there was the slightest foundation for attributing the distresses of this country to taxation; because on looking at other countries he found the same character of distress. They had upon the table of the House the evidence laid last year before a committee of the House of Commons, and particularly the respectable testimony of Mr. Jacob, who, on being asked what was

the situation of the growers of corn in the north of Europe, declared that the state of their agriculture was the general subject of complaint. He had heard the complaints in Holland, Germany, and Poland, in France, and the Netherlands. The farmers complained bitterly of low prices. The fall of prices was one-third. This was the evidence of a gentleman of great ability, who had visited the Continent to obtain information. They had also the opinion of the deputies of France, in their address of November last to the King, and the answer of the monarch. The chamber alluded to existing distress in three-fourths of France, arising from agriculture. The King, in his answer, admitted that distress, and stated that he had taken measures to remedy the same; but added, that no regulation could prevent the effect of superabundance. In Hanover, and other parts, the same difficulties occurred. In Switzerland, again, where there was no national debt, no standing army, distress was as great as in any country in Europe. The noble Lord contended, upon all these facts, that throughout Europe agricultural distress was general.

"The statement that taxation was the cause of the evil was new. It was universally admitted by the petitioners, that agriculture and manufactures were in a thriving condition during the late war. Since the termination of the war, one-

fourth of the taxation had been taken off. The property-tax had been taken off. They had a reduction which amounted to twenty-five per cent. of the whole amount of taxation. Make allowance for the depreciation of the currency, and the relief would be found to be equivalent. If they looked back, they had documents which would not deceive them. The noble Lord cited the returns of the exports since 1790, and he said it clearly appeared that the exports had been quadrupled, and the imports trebled. Could any man travel through the country without seeing, that waste and uncultivated lands had been forced into a state of cultivation? Looking also to the consumption of barley, they would find a great increase. Tea, from a duty of thirteen per cent. had been raised to one hundred per cent. and the increase in consumption proved the increase of population. In 1789, the consumption of candles was forty-eight millions of pounds; in 1821 the consumption was eighty-three millions of pounds. Soap, leather, salt, and bricks, had all increased in consumption beyond the increase of population.

"Ask the farmer what he wants, he will tell you a market. They had, during the war, with a great expenditure, created an increased demand in the markets. During the last war the demand of Government in the markets was two millions annually; now it was not 200,000*l*. That

circumstance alone would prove that the demand could not keep pace with the increase in the market. They all agreed that faith with the public creditor must be kept, and the dividends paid. They were all agreed on the reduction of expenses, and then the question was, what would be the advantage to the country by the reduction of five millions of taxes? The revenue was about fifty-four millions, and the reduction proposed was one-fifth of the income of the country. This reduction must have great effect, yet some were advocates for giving up the sinking fund. But what was the gain to be set against the loss? Why, the loss of the sinking fund would make the borrowing of money difficult, and that difficulty would fall heavy on the agriculturists themselves."

His Lordship then came "to the question of what measures were necessary to remedy the evils complained of. He had before stated the distress of the country to be the result of a long and arduous war, and abundance of grain brought on by forcing waste lands into cultivation. The remedy must be brought about by the operation of time. A noble Lord had said it was a distress beneficial to no one; but it was advantageous to a large class of the population of the country. He came to a statement of what the King's government had done to reduce the expenses last year, which was nearly eight millions. The first

measure had been to reduce the expenditure; and, secondly, to secure the sinking fund. The next measure they resorted to was a saving in the interest of the funded debt. They had made a considerable reduction in the taxation of the country, and looked forward for more."

Lord Liverpool then adverted "to the measure for reducing the rate of interest on the national debt, and considered the plan beneficial to the country. Upon the question, whether the committee on the Corn laws could produce any beneficial effect, he had some doubt." The noble Lord concluded a luminous statement of his views, by moving "That there be laid before this House the evidence required by the Marquess of Lansdown on a former day, namely, the estimates for 1822."

The Marquess of Lansdown considered this an important *exposé* of the views of Government, although he could not agree with the noble Earl, that the distress of the country was not occasioned by taxation. He was glad to hear it was intended farther to reduce the taxation.

The Duke of Buckingham supported the statements of Lord Liverpool; and his motion was agreed to *nem. diss.*

The subject of the state of Ireland underwent ample discussion this spring. The Premier took occasion to deliver his sentiments upon it very fully, on the motion of the Marquess of Lansdown

for the institution of a parliamentary inquiry into that subject, on the 14th of June.

"The interest which he felt in the subject," he said, "had been augmented by the fair, candid, and temperate manner in which it had been introduced by the noble Marquess. In looking at the question, he would adhere closely to the points noticed by the noble Marquess; and if he felt any peculiar objection to voting for this resolution, it was, because, under the peculiar circumstances which now existed, he could not see any powerful necessity which called for its adoption. In considering the state of Ireland, or of any other country, there was always a distinction to be borne in mind—first, whether the evils of the state arose out of the situation in which the governors stood to the governed; or, second, whether they grew out of the state of society itself, or from the relation in which the great body of the people (those who laboured for their daily subsistence) stood to those who possessed great property." He supported the importance of this distinction, by references both to the ancient and modern history of States.

"With the exception of the year 1798," he continued, "when a conspiracy was set on foot to mature a rebellion, and a French force landed in Ireland for the purpose of overturning the Government—with that one exception, all the

other insurrections in Ireland were directed against the *property*, not against the government, of the country."

He then adverted to the state of the representation of the people in Ireland, and said, that "had a noble Lord (J. Russell) succeeded in attaining his late object, he (Lord Liverpool) would assert, that even under this new plan, the popular representation of England would not have been so great as the popular representation of Ireland was at the present moment. Out of one hundred members that represented Ireland, sixty-four were returned by counties, and on a principle very nearly approaching to that of universal suffrage.

"With respect to the laws, Ireland enjoyed what Scotland did not enjoy, at least in its fullest extent; Ireland enjoyed the trial by jury, to the same extent that England did. She had the advantage of able and independent judges; and the correct way in which justice was administered there, might be inferred from the very small number of appeals from that country, which were introduced to their Lordships' notice. Whether, then, he looked to the constitution of the country; whether he looked to the general state of the law of the country; whether he looked at what appeared to be the feelings of Ireland—feelings which he looked to with great regard and tenderness—he had a right to contend, that it was not

hostility to the British government; that it was not a desire of reform in Parliament; that it was not a wish for those changes, which, in moments of distress, they saw agitating large bodies of men in this country, that actuated the people of Ireland, and produced the evils which they all deplored. No; those evils arose from the internal state of society in Ireland, and the relation in which the great body of the people in that country stood with respect to that portion of the people who had property."

His Lordship now opposed the statements of the noble Marquess, that "much of the misery of Ireland was to be attributed to the taxation imposed on it, and to the mode adopted for the collection of the revenue;" but we cannot follow him into these details.

"With respect to the question of absentees, the noble Marquess must," he said, "perceive that it was one of very great delicacy. As to the question of political economy,—whether it was the same thing for a country that such large masses of money should be drawn from it, instead of being spent in it,—on that question he would not enter, because there was a paramount question which greatly transcended that of political economy—he meant the moral effect of the absentee system. There was no calculating the effect it must produce. In this country, circum-

stances sometimes prevented the residence of a family on a particular estate for a generation; but what must be the effect, when, from generation to generation, the tenant only knew his landlord by name?"

He now came to the question of tithes: and he must observe, that in arguing this question there was one point from which he and the noble Marquess must start together. He would not touch on any divine right the clergyman had to tithes, but he would maintain that it was as sacred a right of *property* as any other. He would say, that the proprietor who had bought an estate, who had inherited an estate, or had the devise of an estate, had bought or inherited nine parts only; and the tenth part was the property of the Church, or of the lay impropriator, as firmly as the nine other parts were the property of the purchaser, the inheritor, or the devisee. It stood on the same principle as every other species of property, and they had no right whatever to touch it. He had no hesitation in saying, that the resident clergy of Ireland were as valuable a set of men to Ireland as any other. He spoke of them not merely as clergymen, but as resident proprietors. The greater proportion were resident in their parishes, and they spent the income raised upon their flocks, amongst their flocks. And though, as in every other class of

persons, there might be bad men amongst them, still it could not be denied, that much of what they received was devoted to acts of charity; but whether or not, their incomes were spent in the country. They did not, he believed, on the whole, receive half their dues; and it was notorious that, where the proprietor of the land paid the tithes, the peasant or farmer to whom the land was let, paid more in addition to his rent, than would have been demanded if he himself paid the tithe. Those who recommended this plan professed to have the interest of Ireland at heart. And what did they mean to do? They wished to adopt a system that would still farther impoverish and oppress that country, which would make the people pay double what they paid at present; and instead of having a body of resident clergy, would give them a body of non-resident landlords.

"It was a fact not to be denied, that the subdivisions of property in Ireland arrested the progress of civilization: in this country it was found that civilization was in proportion to the magnitude of estates. Several measures to ameliorate the condition of Ireland would in a short time come under the consideration of their Lordships: one of them had been introduced by a right honourable friend (Mr. Goulburn) last night into the House of Commons, and its object was to make improve-

ments in the present system of tithes. He (the Earl of Liverpool) wished it to be understood, that it was not the only plan Ministers had in contemplation, but they had thought it advisable to introduce that bill in the course of the present session, leaving the other important branches of the subject to future deliberation: hereafter, by the working of this measure, Ministers would be able to ascertain how much farther its principle might be carried. The police bill was another endeavour to improve the condition and promote the tranquillity of Ireland. He was aware that grave objections had been stated to it, but he believed that they were founded upon an erroneous view of its provisions; in short, he might say, that some of them were founded upon a disposition to support those very abuses which, on other occasions, the objectors had been most desirous to remove. However, it would be sufficiently early to state his opinion on the question, when the bill was before the House. Without intending the slightest disrespect to the noble Marquess (Lansdown), he should meet his resolution by moving the previous question." The amendment of the Earl of Liverpool having been put, a lengthened debate followed, in which the Lord Chancellor, Lord Ellenborough, Lord Holland, and most of the leading Irish Peers spoke: when their Lordships divided, and the numbers were—con-

tents 33, proxies 25—60; non-contents 66, proxies 42—108. Majority against Lord Lansdown's motion, 48.

The efforts of the Emancipationists were this year confined to the support of Mr. Canning's bill for admitting the Catholic peers into Parliament. That eloquent advocate of the measure grounded it principally on the true intention of the Government in passing the original act of exclusion. He also alluded to the coronation of last year, as having summoned those peers for the first time for upwards of one hundred and thirty years, and asked "whether it were in honour or in mockery? whether with the pageantry of the hour their importance faded away?" &c.

The Duke of Portland, on the 22d of June, moved the second reading of the bill, in the House of Lords; and after the Lord Chancellor had spoken with great earnestness, Lord Liverpool rose. He argued the question on the narrow ground chosen by its advocates, and insisted that the bill under consideration was opposed to every sound maxim, unless brought forward as part of a general scheme of relief. "On what principle," asked his Lordship, "could their Lordships say, 'We will not object to a peer's sitting amongst us though he does acknowledge a foreign jurisdiction in some matters of spiritual concern, but we will object to a commoner's sitting in Parliament

under similar circumstances.' Could any thing so invidious, so monstrous, so unjust, be successfully proposed in modern times? Was it not the boast of our aristocracy, that though they possessed high privileges, they possessed them for the benefit, not for the injury of any man? If their Lordships looked to the nature of the duties and privileges which belonged to them, they would find that the concerns of religion were especially theirs, and therefore, if it was the right of any branch, surely it was the right of this branch of the legislature above all others, to require from its members some tests that they were attached to the Established Church. Upon what principle would their Lordships draw a distinction in favour of the Catholic peers to the prejudice of the Catholic community of the realm? A more serious evil could not befall the country than to pass the bill, even assuming that their Lordships should proceed no farther. If they should pass it, and then take their stand against farther Catholic concessions, it would in that case still be the most impolitic and mischievous measure imaginable. What could be a more invidious concession than a favour of this sort to the Roman Catholic Peers? All that it offered was a most unwise and most invidious distinction between the peers and the commonalty of a particular church."

This bill passed the Commons by a majority of

5 votes, and was lost in the Lords by a majority of 42 against it.

The foreign affairs of the country, except as they gradually became connected with questions of commerce, were almost wholly uninteresting at this time. On the 15th of July, indeed, Lord Lansdown asked a question of the Ministers, which gave rise to an important statement. It respected the security of our present trade with the Spanish colonies. "It was very important," he said, "to the mercantile interest to be informed, what was the nature of the understanding between the government of Spain, this country, and South America, respecting a free trade? He wished to know whether it was the intention of his Majesty's government to recognize the independence of those states, and whether there existed any understanding between this government and Old Spain, to give protection to British vessels carrying on *bonâ fide* trade with those colonies? He also wished to know whether measures would be taken to convince the government of Spain of the intention of his Majesty's government to hold out effectual protection to British ships engaged in that trade?"

The Earl of Liverpool "felt no difficulty," he said, "in giving the noble Marquess an explanation of the subject. With respect to the case of the ship, the Lord Collingwood, to which the noble

Marquess alluded, information was received some time ago of that ship having been captured on pretence of a violation of the blockade of Buenos Ayres, and no time was lost on the part of his Majesty's government in making a representation of the case. If there had been a *bonâ fide* blockade of Buenos Ayres, and the Lord Collingwood had broken the blockade, the Spanish ship would have been justified in preventing vessels going in: but it appeared there was no blockade. Communication had been made to the Spanish government, and the answer was, that no information had been received from South America respecting the fact, but inquiry would be made. With respect to the subject generally, he was desirous of stating what the situation of trade really was between this country, Spain, and South America. Ever since the question of Spanish colonial independence was raised in 1808 and 1809, this country had enjoyed free trade with South America. When monarchial government was restored in Spain, an explanation took place. The English government offered their mediation between Spain and her colonies; but it was abortive, because Spain could not accede to those principles on which England could mediate. An understanding, however, always existed, that trade between this country and the Spanish colonies should not be interrupted; and if Spain should do away the

independence of her colonies, so as to regain complete dominion, entire protection should be given to British property, and the colonial system of Spain should not be renewed without due notice to England. Until the restoration of the colonies to Old Spain, the trade of England to South America was to be free. This was the state in which our trade stood until the passing of the late act, for alteration of the navigation laws. Although the trade was as free as it could be in British ships, an alteration was made in the navigation act, by which the trade may also be carried on in ships belonging to Spain, so that the intercourse between this country and South America was as lawful as it could be between England and other countries. The navigation act not only legitimatized trade to and from this country, in ships belonging to the South American colonies, but in the ships of Old Spain. As far as concerned the continent of South America, it was as open as the trade to any country whatever."

Earl Grosvenor made a motion at the close of the session respecting the massacre by the Turks of the Greek hostages of Scio. His Lordship's object was to show, that if Ministers could not have prevented that horrible catastrophe, they ought, at least, to afford no countenance to the barbarities of the Turks: when Lord Liverpool resisted the motion on the ground of its being an

undue interference between another government and its subjects.

"It was too true," he said, "that scenes had taken place horrible to humanity; but the noble Lord might rest assured the cruelty was not all on one side. With respect to the island of Scio, the first horrors were committed by the Greeks. He did not say that, however, to palliate the conduct of the Turks. The noble Lord had mentioned that a Turkish frigate had been supplied with ammunition; nothing could be more unfounded than such a report. There was, however, a vessel in our ports which had been a Turkish frigate. She was sent by the Pacha of Egypt anterior to the insurrection in the Morea. She was partly laden with merchandise and curiosities for the British Museum. The vessel was allowed to be repaired in our ports, but arms and ammunition were positively refused. With respect to the Turks and the Greeks, this country had stood perfectly neuter."

On the prorogation of Parliament at the usual season, the King embarked at Greenwich for Scotland. Here, while enjoying the loyal greetings which everywhere met him, the melancholy death of the Marquess of Londonderry was announced to his Majesty. His Lordship fell, in a moment of delirious irritability, by his own hand, on the morning of Monday the 12th of August.

In the Cabinet he had, perhaps, accomplished every great purpose for which he was fitted: he had materially aided the final combination of patriotic zeal against the common enemy of Europe; and ably represented the interests of his country in the treaties that followed. The prolongation of the close union between the Powers necessary for these purposes, it was not desirable, perhaps, that this country should attempt; at any rate, his Lordship's death was the signal for its being no longer attempted.

After a short delay, connected with the return of the King, which did not take place until the beginning of September, Mr. Canning, to the particular satisfaction of Lord Liverpool, received the seals of the Foreign Office.

In the course of this same month, his Lordship (September 24th, 1822) conducted to the altar Miss E. Chester, daughter of the Rev. —— Chester, and sister of Sir Robert Chester, of the Heralds' Office, as his second lady.

The autumn of this year was distinguished by the extent to which certain preposterous speculations in foreign securities were patronised by the public. To Russian, Prussian, Spanish, Danish, and Neapolitan, were added several South American loans: in one month of this year (May), one of the last and least established of the new states, Chili, raised a million of money, it is said, in Lon-

don; and its bonds for 100*l.* which first sold at 70*l.*, rose to 90*l.* But before the end of December a reverse took place: the Congress at Verona was about to assemble; the greater powers of Europe were known to look adversely on several late Revolutions; warlike rumours abounded, and a series of panics ensued, which shook rapidly the whole money-market of Europe.

Parliament re-assembled early in February, 1823, under the cheering prospect of a progressive internal prosperity. The agricultural interest, it is true, was still depressed, a fact which was duly noticed in the King's speech; but it was anticipated that the new activity of the manufactories, and of the foreign commerce, would not fail gradually to improve this "great interest." The principal topic of consideration in our relations to other Governments, at this time, was the conduct of France and the Allies in regard to Spain.

When Lord Lansdown regretted that Ministers had not been more explicit on this subject, Lord Liverpool contended, that "there could not be a more distinct statement of the designs of Government, than was contained in the first paragraph of the speech from the throne. 'Faithful to the principles which his Majesty had promulgated to the world as constituting the rule of his conduct, his Majesty declined being a party to any pro-

ceedings at Verona, which could be deemed an interference in the internal concerns of Spain.' Those principles were to be found in a note written by a dear and very lamented friend of his, and issued on the 19th of January, 1821. In that note the policy of the British Government was distinctly declared; and it rested on the principles of the law of nations, which allowed every country to judge how it could best be governed, and what ought to be its institutions. If exceptions to the rule might arise out of considerations of self-defence and self-preservation, these were to be considered *as* exceptions, and were to stand on their own peculiar merits. He and his colleagues viewed the question of Spain as one purely Spanish, and not mixed up with any other; and the Spaniards, far from wishing to interfere with other countries, disclaimed any such right. He dreaded war much more as affecting France than Spain. But, while he said this, he protested against being supposed for a moment to admit the idea, that, if unavoidable circumstances presented no alternative to England but war or dishonour, we were not in a state to go to war."

The Administration had received a considerable accession of strength, it appeared, on this occasion, in more than one department. Mr. Robinson had succeeded Mr. Vansittart, (now called up to the House of Peers as Lord Bexley,) Mr. Huskisson

became President of the Board of Trade, and Mr. Arbuthnot first Commissioner of the Land Revenue. The commercial interests looked with great satisfaction on the promotion of Mr. Huskisson and Mr. Robinson; and the general confidence of the country in Ministers was most gratifying.

This appeared very particularly in regard to the pending questions between Spain and France. Although they were not unlikely to involve the country in war, and were, therefore, topics of the greatest interest to every portion of the community, an almost total silence was preserved respecting them in Parliament for some weeks; under the conviction that the Administration were of one mind with the people, and that discussions of an injurious tendency might be provoked by premature inquiries.

At length, on the 14th of April, pursuant to a notice given, the diplomatic papers relative to the negotiations on the state of affairs between France and Spain were laid before Parliament in the House of Peers by Lord Liverpool, and in the House of Commons by Mr. Canning.

Mr. Canning accompanied these papers with a speech of some length, and Lord Liverpool entered into a short exposition of our policy to the Peers; speaking, however, strongly as to the readiness

of Great Britain to engage in a war, if absolutely necessary.

The entire line of policy Ministers had pursued was debated at great length in the House of Commons on the 28th of April, and two following nights; Mr. Canning delivering, on the last evening, the final and long-expected justification of himself and colleagues. The remarks of Opposition in the Lords were chiefly desultory: no one advised war, yet fault was found at our remaining at peace. An address proposed by Lord Ellenborough was supported by Lords Lansdown, Grey, and Holland; but an amendment of the Ministers was carried by a majority of 94.

CHAPTER XII.

King's Speech on the opening of Parliament, 1824.—Lord Liverpool's Speech.—Debate respecting the South American States.—Concessions to the Catholics.—Alien Bill finally renewed.—Catholic Association of Ireland.—Bill for putting it down.—Catholic Bill of 1825.—Declaration of the Duke of York.—Speech of Lord Liverpool.—Mercantile Distresses.—Parliamentary Measures in consequence.—Relaxation of the Navigation Laws.—The new Alien Act.—Resolutions respecting the West India Colonies.—Corn Question.—Christmas recess.—Death of the Duke of York.—Meeting of Parliament in February 1827.—Address of Condolence moved by Lord Liverpool; and Address for an increased Allowance to the Duke of Clarence.—Lord Liverpool's sudden and alarming illness.

THE speech from the throne on the opening of Parliament in 1824 expressed the satisfaction of Government at the prosperous condition of the country, and the recovery of the agricultural interests from their long depression. It adverted to a pending arrangement with Austria for the settlement of the pecuniary claims of the country on that power; announced the determination of his Majesty to preserve a strict neutrality in the war

between France and Spain; and informed the Houses that consuls had been appointed to the new American States.

Some slight sins of omission were all the charges of Opposition against the speech.

Lord Liverpool, adverting to the remarks of the Marquess of Lansdown, said, that "he had never hesitated to declare his opinion, that France had no right to invade Spain. He had disapproved of that interference, and deprecated that attack; not on abstract principles of non-intervention, and the right of every nation to frame its own constitution, and arrange its own internal affairs, because he was aware that every general principle admitted of exceptions, but because France could make out no specific case which gave her any title to interfere. At the same time he felt the danger of the attack, and was desirous that the evil might be averted by some concession; not a concession to France, who had no right to make any demand, but a concession from Spain to herself: in short by a compromise, which might have taken away the motive for invasion. The British Cabinet had advised this, and could do no more. This advice was rejected by the Spaniards. The French army entered, and the ease with which they obtained possession of the country, showed us the wisdom of having

abstained from interfering in the policy of a divided nation. It was evident, not only that the great majority, but a majority so great as to leave the minority an object of surprise with us, hailed the French as friends who came to overthrow that constitution.

"As to our relations with South America," Lord Liverpool contended "that the speech from the throne was most explicit. Its object was to announce to the country, and to Europe, that we were wholly unfettered by engagements, either to Spain or to our allies, and perfectly free to take that course which our own prudence or policy might dictate. At the same time practical difficulties would occur in our relations and intercourse with those possessions, till Spain renounced all claim to their obedience, and recognized that independence *de jure*, which they enjoyed *de facto*. If a recognition of them, therefore, could be obtained from Spain, he should think that a great object was gained. Still we were not bound either by the concession or by the refusal of Spain; and it was an important fact to know, that we were perfectly free and unfettered in our future policy towards South America."

The policy adopted towards the South American States came more fully into discussion on the

15th of March, on a motion of the Marquess of Lansdown for our correspondence with the Allies on that subject.

In this debate "Lord Liverpool fully concurred," he said, "in the principles of the noble Marquess, and was prepared to contend, that, as far as possible, Ministers had acted up to them. In 1822 they had submitted to Parliament an act which received the Royal assent, and which went to the extent of acknowledging the *de facto* independent provinces. The 3d of Geo. IV. c. 43, gave to all those provinces the rights of independent states under the Navigation act, at the same time re-affirming the general principle that all commerce with Asia, Africa, and America, must be carried on in British ships. This establishment of a free intercourse with those states was explained to the Spanish Government, who were at the same time told that it would be followed up by other steps. Therefore, from that time, the independence of the South American provinces was practically acknowledged. In the month of November, in the same year, our intention of sending consuls to the different provinces was announced. Some delay took place in carrying that announcement into effect, as it was thought more delicate to wait for a few months, rather than execute it at that particular juncture: but as soon as it was quite clear that

the French armies would be successful in Spain, Ministers thought it proper to have a full explanation with the French Government, and then took the step of sending the consuls to their different destinations.

"It had been alleged, that the powers of Europe had changed their intentions, in consequence of the message of the President of the United States. What effect that message might have produced, it was not for him to say; but weeks before it was delivered, this country had declared, that, though neutral with respect to Spain and her colonies, she would not see with indifference any attempts against them on the part of other countries, and she had obtained from France an abjuration of any hostile intention. What had been done was all that could have been done, embracing every practical advantage consistent with honour and good faith. A formal acknowledgment of independence could properly be made only by the power who claimed dominion over another; and in the strict sense of the word, we had no right either to acknowledge or dispute their independence. It only remained to open a diplomatic intercourse with these countries, which was more peculiarly the prerogative of the Crown. Not that he disputed the right of Parliament to interpose its advice in the exercise of that prerogative; but he put it to their Lordships, whether, on the

perusal of the papers on the table, there appeared any grounds for such an interference?" The noble Earl concluded, by moving an amendment to the motion, "expressing the satisfaction of the House with the measures of which it had been informed."

The Catholic question was not this session brought forward in any distinct form; but some practical concessions were made to the Catholic body, in which Lord Liverpool heartily concurred.

Lord Lansdown indeed lost his two bills for enabling the English Roman Catholics to exercise the elective franchise; and to act as magistrates, or in subordinate revenue offices; though these bills were supported by Lords Liverpool and Westmoreland, and by the Bishop of Lichfield.

Lord Liverpool contended, that "these measures had no connexion with the general question of opening the legislature and the bench to the foes of Protestantism. No danger could be apprehended from such modified concessions as were now proposed. Nay, the granting of such privileges to the Catholics of England would strengthen the Protestant establishment; for a cause of discontent would be removed; a reproach perpetually thrown in their teeth would be taken away, and, by conceding these things, strength was acquired to resist greater encroachments. Not only *pro tanto*, therefore, dissatisfac-

tion was removed, but power was actually acquired. True, the enjoyment of certain privileges by the Irish Catholics was no reason why they should be granted to the English; but the notorious fact was useful in both cases, as it afforded experience in favour of some change. If it had been adopted without danger in Ireland, it was at least a reason why the concession should not excite alarm in England. In Ireland the proportion of the Catholics was infinitely greater; and therefore, if any danger existed, that danger must be proportionably augmented. Could their Lordships, then, refuse to pass a measure, where the danger was comparatively nothing, which had been acted upon in another part of the empire, where the number was infinitely greater? What was given to the strong and powerful, it would be ungenerous to refuse to the weak and the helpless."

But these bills, ably opposed by Lord Colchester and the Lord Chancellor, were, as we have stated, lost. The result of the division being in favour of the first bill: present 63; proxies 38—total 101. Against it, present 74; proxies 65—total 139. Majority against it 38. In favour of the second bill, present 67; proxies 42—total 109. Against it, present 76; proxies 67—total 143. Majority against it 34.

Subsequently, however, an act (5 Geo. IV. c.

79.) enabling any person to hold a revenue office, on taking the oath of allegiance, and an oath for the faithful performance of his official duties, was passed without discussion: as well as a law to enable the Earl Marshal and his deputy to exercise that office, without taking the oath of supremacy, or signing the declaration against transubstantiation.

Lord Liverpool also supported the Unitarian Marriage bill, on the motion for its second reading; but the Bishop of Chester finally carried his motion that "it be committed that day three months."

The Alien bill was renewed this year, under an intimation in the Commons, that Government hoped it might expire without a farther renewal. In the Lords it produced a short discussion between Lords Gage, Clifden, and Holland, and the Earl of Liverpool: the first of these noble persons moving that the following clause should be added by way of rider to the bill,—"Provided always, that no alien under the provisions of this act shall be transported, in any case, to any part of the dominions under the authority of his lawful sovereign."

To this Lord Liverpool objected, as answering no good purpose. "If it was right to give the power of sending an alien out of the country, it was not possible, nor would it be judicious, to

place any limits to it. He should not wish to send a refugee Spaniard to Spain; but the power of sending aliens away must be left unrestricted." The Lords having divided on Lord Gage's motion, it was lost, and the bill passed.

Throughout the winter of 1824, an unusual tranquillity pervaded Ireland: early in the following year a committee was appointed, upon the motion of Lord Liverpool, to inquire into the state of that country generally. It was composed of the same members as that of the preceding year, with the exception of Lord Aberdeen, who was abroad, and Earl Fitzwilliam, who wished to withdraw. The Duke of Devonshire and Lord Fitzgibbon were substituted for these two peers.

The result of the labours of the committee was a brief and rather vague report; accompanied, however, by an important body of evidence respecting the condition of the Irish peasantry. On the whole, it confirmed the recent observations of our Premier, that the discontents of Ireland neither respected questions of religion, nor power, but *property;* and arose out of the wretched poverty of the great mass of the people.

The body called the Catholic Association of Ireland arrogated to itself, indeed, no small share of the influence that produced the present tranquillity: it levied large sums on the Catholic population; assumed to be the representative of

the Catholic wrongs and feelings; and used language, according to the printed Report, so menacing, that the Attorney-general had thought proper to hold one of its most conspicuous members, Mr. O'Connell, to bail.

The speech of the Commissioners who opened Parliament on the 3rd of February, 1825, recommended measures to remedy the evil of such associations.

In the Lords, a preliminary discussion was excited on the subject, on the 28th of February, by a motion of Lord Lansdown for the correspondence of Ministers with the Lord-lieutenant of Ireland, on the subject of the religious and political societies of that country.

This motion Lord Liverpool resisted; observing "he knew of no measure intended to be brought forward that was to be founded on official information, or upon any principle of confidence in his Majesty's Government; then, indeed, there would be fair ground for calling for an inquiry or information. It was the boast of the Catholic Association, that all their proceedings were public, and that every thing they did, was done in the face of day. If their Lordships should think fit to adopt any measure affecting the Association, they would adopt it on facts which were admitted by the Association, and which no member of it would deny. Besides, the motion was unprece-

dented, and had reference to a measure of which the House at present knew nothing." The motion was rejected.

The bill for putting down the Association in question was debated at great length in the House of Commons, and produced from Mr. Canning a species of historical account of the construction of the various cabinets since 1801, relative to Catholic Emancipation.

In the House of Lords it was chiefly defended (March 1st) by the Chancellor, who successfully opposed a motion of Lord Carnarvon's to hear counsel against it; and was read twice on the same day. On the 7th of March it passed the House, and received the Royal assent on the 9th.

This year was still considered propitious for attempting a new Catholic bill, which was accompanied by two auxiliary measures, not inaptly termed its "wings," and which provided respectively for the dependence of the Catholic priesthood, by means of a state provision on the Government, and for the preservation of the Protestant interest in elections, by disfranchising the smaller freeholders of Ireland.

On the 1st of March, Sir Francis Burdett first proposed these measures in the House of Commons; and on the 23rd and 19th of April, the bills were read a first and second time.

In the interval between the second and third

reading, his late Royal Highness the Duke of York made his memorable declaration of a determined opposition to the Catholic claims.

On the 17th of May, these measures were debated in the House of Lords, and the Premier delivered his sentiments with considerable energy. It was his last speech upon this important subject, and rumours had been circulated (grounded, probably, on the liberal conduct of Government in the measures alluded to last year) that he was prepared to make concessions to the Romanists.*

"The grounds," said Lord Liverpool, "on which the noble Lords opposite maintained that it was fitting to grant the concessions demanded, were that the Catholics of this country and Ireland were entitled to enjoy equal civil rights and immunities with their Protestant brethren: and upon that broad principle he was at issue with them. He admitted that all subjects in a free state were entitled to the enjoyment of equal rights upon equal conditions; but then the qualification of that principle in the case of the Catholics was

* In a debate on the state of Ireland, (May 26th, 1825,) Sir Francis Burdett attacked this speech in strong language, and insinuated, that Lord Liverpool had not acted with candour, but had allowed the friends of the Catholics to entertain hopes that his opinions had undergone some alteration.

clear—the Catholics who demanded these equal rights, did not afford equal conditions. The difference was this: the Protestant gave an entire allegiance to his Sovereign; the Catholic a *divided* one. The service of the former was complete; that of the latter only qualified; and, unless it could be proved that the man who worked for half a day, was entitled to as much wages as the man who worked the whole day, or, in other words, that the half was equal to the whole, he could not admit that the Roman Catholic, whose allegiance was divided between a spiritual and a temporal master, was entitled to the enjoyment of the same civil rights and privileges as the Protestant, whose allegiance was undivided, and who acknowledged but one ruler.

"He cared not for the speculative dogmas of the Roman Catholic church, such as the doctrine of transubstantiation, or the invocation of saints: but he could not be indifferent to the powers which the Pope still held over the great body of the Roman Catholics. It had indeed been the policy of the advocates of the Catholics to maintain that this power was extinct; but the very evidence before their Lordships proved the extraordinary influence which was even at that day exercised by the Pope of Rome. The presentation to vacant sees in the Roman Catholic church in Ireland was vested in the Pope at that moment—he

exercised an absolute and uncontrolled power of appointing whom he pleased to vacant bishopricks. He might yield occasionally to the recommendation of others, but the strict right of nomination he reserved to himself. That he had occasionally yielded to the representation of others, had been fully proved by the evidence of Dr. Doyle, who had stated before their Lordships' committee, that James II. his son, and grandson, had for a succession of years recommended to the vacant Irish bishopricks, and that the Pope had invariably attended to their recommendations. If, therefore, the King of France, or the King of Spain, or any of the members of that bugbear of the noble Lords opposite, the Holy Alliance, were now to recommend to the Pope, who could say that he would not listen to their recommendation? Would any one then affirm, that a people so circumstanced were entitled to a community of civil rights and privileges with the Protestants? He knew it had been said, that the progress of education, and the march of civilization, had wrought wonders amongst the Catholics; and, looking to the present aspect of the times, it might, perhaps, appear to superficial observers, that little danger was to be apprehended. But he would remind their Lordships, that the horizon was often the clearest and most serene when the tempest was nearest. At what time did the Established Church appear to be in a more flourishing condition,

than at the restoration of Charles II.? And yet within twenty years afterwards, the greatest revolution took place in the condition of that church, and it was next to a miracle that it was not overwhelmed, by the machinations of a popish prince, in one common ruin with the state and constitution of this country. It was not to the Pope, as Pope, that he objected; it was to the principle of the existence of such a power as that in the Pope, and to the temporal and practical power of the Catholic priesthood, extending over all the relations of private life, and penetrating into every domestic scene.

"Their Lordships held—the bill held—that a Protestant succession was the foundation of our constitutional system: but if this measure should pass, the Protestant succession would not be worth a farthing. Much had been said of rights—indefeasible and natural rights. The state was Protestant essentially, the Crown was to be Protestant, and the successors to the throne must adhere to the same faith. But, were they to be the only persons so limited? He would speak of a king's rights here in the same sense, and no other, as that in which he would argue concerning the rights of a peasant. Was it not laid upon the King and the heir to the throne, that they must be bound to the Protestant faith, while the Chief Justice, the Ministers, and the Secretaries of State, might

be Roman Catholics? Why was this? Where was the danger in having a popish King, or a popish Chancellor, if all the other executive officers might acknowledge the Pope? There was no less danger in a popish Chancellor, who might be removed at pleasure, than in a popish Chief Justice, who would hold the administration of the criminal law in his control, and could be removed only by a peculiar process of law, in case of his dereliction of duty. It was said that the Privy Council might be increased by the admission of Roman Catholics, and that it was unjust and cruel to exclude Catholics from such an appointment of trust and honour; in short, that a Catholic might be Prime Minister, and have the whole patronage of the church and state at his disposal. As long, however, as the system of the constitution was Protestant, it was essential to maintain a Protestant throne, and a Protestant administration of the public affairs; but if the bill were to pass, Great Britain would be no longer a Protestant state.

"The evil he apprehended from the passing of such a bill would not be immediate; but it would be inevitable, and would come upon the country in a manner little expected. Neither could he bring himself to view it as a measure of peace and conciliation. Whatever it might do in this respect in the first instance, its natural and

final tendency would be to increase dissensions, and to create discord, even where discord did not previously exist. He entreated their Lordships to consider the aspect of the times in which they lived. It was their fate to hear doctrines openly promulgated, which were as novel as they were mischievous. The people were now taught in publications to consider Queen Mary as having been a wise and virtuous Queen, and that the world had gained nothing whatever by the Reformation. Nay, more than this, it was now promulgated that James II. was a wise and virtuous Prince, and that he fell in the glorious cause of religious toleration. Could the House be aware of these facts, and not see that a great and powerful engine was at work to effect the object of re-establishing the Catholic religion throughout these kingdoms? And, if once established, should we not revert to a state of ignorance, with all its direful consequences? Let the House consider what had been the result of those laws, what had been the effects of that fundamental principle of the British constitution, which they were now called upon to alter with such an unsparing hand. For the last hundred and thirty years, the country had enjoyed a state of religious peace, a blessing that had arisen out of the wisdom of our laws. But, what had been the state of the country for the hundred and thirty years immediately preceding that period?

England had been the scene of the most sanguinary religious contentions. The blessings of the latter period were to be attributed solely to the nature of those laws, which granted toleration to all religious creeds, at the same time that they maintained a just, a reasonable, and a moderate superiority in favour of the Established Church. Their Lordships were now called upon to put Protestants and Catholics on the same footing; and if they consented to do this, certain he was, that the consequence would be religious dissension, and not religious peace. The present system had the experience of its good results to recommend it; and he preferred it, therefore, to the experiment proposed in the present bill, or to any other that he had yet heard suggested."

This was the only topic of importance on which his Lordship spoke this session.

At the close of the year, an unexampled panic of the money-market was followed by extensive embarrassments of the mercantile interests, and the most numerous Bank failures ever known: the whole circulation of the country became, in fact, paralyzed. Several meetings of the Cabinet took place in consequence, and Government resolved that one and two pounds Bank of England Notes should be immediately issued to relieve the country; and an extraordinary coinage of sovereigns was ordered.

The merchants of London, and of the large trading towns, in the mean time endeavoured to allay the ferment by resolutions for the support of public credit; and confidence was in a measure restored before Parliament met.

In the debate on the address at the opening of Parliament, (February 8, 1826,) Lord King having animadverted on the conduct of Ministers with regard to the Corn Laws and the issues of the Bank of England,

Lord Liverpool "reminded the House that he had last year 'created an opportunity' to admonish the public of the ruin which must follow the then prevailing rage for speculations. All that he had predicted had been unhappily fulfilled. One effect of the speculations had been to increase the circulation of country bank notes to the amount of four millions in two years; or, in point of fact, to double it. This rage, therefore, among many concurrent causes, he assumed to be the principal occasion of the late embarrassments. The remedy which he should propose would be, to remove the limitation to six persons imposed upon Bank partnerships, by the Bank of England Charter, as far as it could affect bankers at more than sixty-five miles distance from London, and gradually to withdraw one and two pound notes from circulation." The noble Lord also declared that "in the present state of the country, Ministers

would not feel justified in any agitation of the Corn Law question." The address was then agreed to without a division.

These measures were now carried into effect by two bills, which were ably discussed in both Houses. The first was, the Small Note bill, which provided that all promissory notes, payable on demand, under the value of five pounds, and stamped previous to the 5th February, 1826, should be allowed to circulate until the 5th of February, 1829, and no longer: in passing through the Committee a clause was added, empowering the Bank to issue one and two pound notes, stamped at any time prior to the 10th of October. The object of this provision was to supply for a time any sudden vacuum which might be produced by the withdrawal of the country paper from circulation.

The second measure was introduced in the Lords, and underwent discussion on the 17th of March. It rendered unlimited the number of partners, who might legally unite as partners, and form a bank; containing a clause by which the Bank of England was authorized to establish branch banks throughout the country.

Lord Liverpool on this occasion said, that, "admitting, as he must, the comparative imperfection of the former measures of Government, he begged the House to recollect, that the chartered

privileges of the Bank of England stood in their way, and prevented Government from going farther. Government, he had no hesitation in saying, ought to go farther, and would go farther, but, at the present moment, it could do no more. The law as to the constitution of banks was absurd and ridiculous in its nature, futile in its construction, and dangerous in its effects; but it had gradually grown up into what it was, and could be reduced only by time and trouble within reasonable dimensions or sound proportions. One of two systems might be adopted. One was, to allow only a limited number of banks, or to exact from such as were permitted to exist, securities for their solvency. This was in itself a wise and salutary system, and might be profitably followed, if circumstances would admit of its adoption. It prevailed in Massachusets, one of the most settled and best established states of America. That state allowed only twelve chartered banks; and so soon as any one of them became unable to pay in specie, its charter was forfeited. The other system was one of unlimited liberty, which was thought to be less objectionable in itself, and to gain equally the same end; because, when all restriction was removed, the solid and more extensive banks would not fail, in time, to expel the smaller and weaker. In London, for example, no paper circulation existed, except that of the Bank

of England. Yet this was not the effect of law, for no enactment prevented private bankers from circulating their own paper; but they knew, that, if they issued notes, these notes would immediately be presented for gold, or Bank of England paper, and, therefore, they declined the issue of them altogether. But in this country, the free and the restricted systems were united; we were in a state of restriction as related to every thing good and substantial—in a state of liberty as to every thing rotten and bad. The law said to any shopkeeper, however limited his means, 'you may establish a bank;' but to persons of capital, willing to engage in a similar undertaking, it said, 'your company shall not consist of more than six partners.' We ought either to impose wholesome restrictions, or leave banking in full and complete liberty; and the present measure was an approach towards a system of the latter kind. It might, no doubt, be represented as a half measure. Imperfect it certainly was; and imperfect it must remain, till the country should be freed from its engagements with the Bank, or the Bank should step forward to release the country from such parts of its charter as impeded the establishment of a substantial system. It would be short-sighted in the Bank of England to imagine, that its interests were engaged in retarding this desirable consummation. If the Bank were to limit the cir-

culation of its notes to London and the vicinity, no banks now existing, or hereafter to be created, could interfere with its prosperity; while such a step would be attended with incalculable benefits, and would enable Government to place the banking system of the empire on a more secure foundation."

But there was a continued pressure on the present operations of trade; a total want of means in many quarters, and of confidence in all, that was not to be relieved by any measures so wholly prospective as the foregoing. An absolute scarcity of money for conducting the operations of trade was felt by persons of unquestionable property, and an issue of Exchequer bills was implored of Government. This, however, was firmly declined. Lord Liverpool stated, indeed, in the House of Lords, that "if the Bank would purchase Exchequer bills in the market to the amount of two millions, Government would hold it harmless." But that body was also unwilling to involve itself in any extraordinary interference. At length it it was arranged for the Bank to make advances on the deposit of goods, merchandize, or other securities, to the amount of three millions, and Government agreed to indemnify that body from any ultimate loss. It is singular, however, that, as in some former cases, the applications for this relief were by no means numerous.

All that the advocates of Catholic emancipation attempted in the parliamentary sessions of this year, was an occasional attack or two upon the arguments of its opposers. Thus, in the spring, Lord Darnley, in presenting a petition from Drogheda, entered into a species of answer to Lord Liverpool's speech of 1825; and most of the petitions particularly disclaimed that "divided allegiance," which the Premier had charged upon the Catholics. Lord Darnley at this time ventured to characterize the imputation "as a false pretence; for the Catholics," he said, "all declared, that in the oaths they took, and were ready to take, they swore allegiance to his Majesty alone."

Lord Liverpool said "he never doubted the sincerity of the Catholics in disclaiming *civil* allegiance to any foreign power; but that fact would not affect the argument; his objection to them was, that *spiritual* subjection to a foreign power was inconsistent with civil obedience to our own Sovereign."

The measures of this session bearing on our foreign policy were a relaxation of the Navigation Laws in favour of the new American States, and the substitution of a new Alien Act for the old one, which now expired. The first of these provided, that all vessels belonging to citizens of the new States, though not built in those States,

but having three-fourths of the mariners citizens thereof, should be entitled to the privilege of being considered national vessels: the new Alien bill (7th of Geo. IV. c. 54.) only required the registry of Aliens, and of their place of abode: it gave no power to the Government to send them out of the country, and suffers no fee to be taken for their certificate of registry.

The Administration of Lord Liverpool sincerely laboured at the amelioration of the condition of our West India slave population. His Lordship did not hesitate, in his latter life, to speak of the final "extinction" of slavery in the West India colonies as most desirable. He therefore, this year, warmly supported the adoption, by the House of Lords, of the Resolutions of the Commons in 1823.*

* The Resolutions were as follows:—

1st. "That it is expedient to adopt effectual and decisive measures for ameliorating the condition of the Slave-population in his Majesty's colonies.

2nd. "That through a determined and persevering, but at the same time judicious and temperate, enforcement of such measures, this House looks forward to a progressive improvement in the character of the slave-population, such as may prepare them for a participation in those civil rights and privileges which are enjoyed by other classes of his Majesty's subjects.

3rd. "That this House is anxious for the accomplishment

On this occasion, he said, in reply to some remarks of Lord Ellenborough, that "the objections of the noble Lord, if they amounted to any thing, amounted to this, that, on this important question, he would do absolutely nothing; and yet it was allowed on all hands to be most desirable to take some effectual steps for the mitigation of the evils of slavery, and towards *getting rid of it altogether*, as soon as we could compatibly with the safety of the colonies, and a fair consideration of the interests of private property. He could not allow to that noble Lord that the question was surrounded by difficulties so extraordinary and complicated, that he could not find his way through them. The simple question, as it seemed to him, which every noble Lord was called upon to discuss in his own mind, was shortly this,—'is it desirable, or not, that the state of slavery in our West-Indian colonies should be ameliorated and improved by such a course of measures as shall lead to its final extinction, as soon as such extinction can with safety and propriety be effected?'—Now, upon that general question he believed there would exist no difference of opinion

of this purpose, at the earliest period that shall be compatible with the well-being of the slaves themselves, with the safety of the colonies, and with a fair and equitable consideration of the interests of private property."

between the noble Baron and himself. And, if that be so," continued Lord Liverpool, "I do not think that he and I should differ much as to the mode by which that amelioration in the condition of the slave should be effected, and the state of slavery be at last put an end to.

"I am not at all disposed," he added, "to look to the future conduct of the Colonial legislatures with any thing like despondency: and even if I did, I should still think it to be the first duty of Parliament to try the course that is thus proposed for the guidance of those legislatures in future. I should still think it to be our duty to state fully what our opinions were upon the measures to be taken for the amelioration and the education of slaves, and to recommend them to the Colonial legislatures, for the purpose of their carrying them into effect. I should do so for this reason—not only that the Colonial legislatures are much more likely to succeed in carrying any measures of the kind into effect, but that it would be well that the slaves should owe these blessings, greater or less as they may prove, to the Colonial legislatures, jointly with the British Parliament, and not to the British Parliament alone, acting without the concurrence of the Colonial legislatures."

But the most important topic of consideration with Ministers at this period was the state of the Corn Laws. The recent commercial distresses at

once precluded the possibility of a final arrangement, and yet rendered it the more needful that attention should be given to them, and something practically done.

In the spring, therefore, it was determined to liberate the bonded corn, (amounting to about 270,000 quarters of wheat,) at a duty of 10s. per quarter; and as it was impossible to foresee the result of the harvest, to obtain from Parliament a discretionary power, to admit the importation of foreign corn, if needful, on the payment of a fixed duty. This last measure was stoutly opposed in the House of Commons, and the discretion allowed to Ministers, after repeated divisions, was limited to the admission of 500,000 quarters. Some of those who opposed the proposition, said they should have waited for the contingencies supposed, then acted on the necessity, and come down to the House for an indemnity. Thus, on all sides, the inadequacy of the existing laws upon the subject was admitted.

When the bill for permitting the limited importation of foreign grain was discussed in the House of Lords, Lord Liverpool expressed his conviction, that "the grounds of the proposed measures could not be resisted by any fair and reasonable mind, or by any person who was not prepared to shut his eyes to the dreadful consequences which might result from a scarcity of corn during the

recess. He never believed, nor insinuated, that the high price of corn was the cause of the present distress. But, without stopping to determine what the cause was, could it for a moment be said that the price of food was not a great aggravation of it? It was well known to such of their Lordships as had read the documents on that subject laid on the table, that the average growth of this country was not more than sufficient for its consumption:—when they considered that fact, and looked at the effect which the quality of the harvest might have on the subsistence of the people—on the agricultural, too, as well as on the manufacturing classes—their Lordships ought to bear in mind, that, if an unfavourable season should come on, the crop would fall far short of our wants. He had looked over documents relating to the state of the harvests for thirty-two years; and he found that, between 1790 and 1822, there had been eleven defective harvests, during which a great importation of grain became necessary. The question, too, of plenty or scarcity, was often that of a day or a week: and it might happen, that though in June our prospects were the brightest, all our hopes might, in one day, fall to the ground. This had occurred in June, 1816. In the beginning of that year the price of wheat was fifty-three shillings, and before the end of the year it was as high as one hundred and ten shillings.

Should such a circumstance now occur in June or July, it would be impossible to open the ports before the 14th of August; and if the averages were not then sufficiently high, the ports would continue closed until the 14th of November. Such a calamity it became Parliament to guard against.

"He had heard it said, that the people wanted work, not bread. He feared that they were without work, and many, he knew, worked at the lowest rate possible. He did not allude to those who were usually paid high or extravagant prices, but to those whose wages were from seventeen to eighteen shillings a-week; those poor men were now reduced to subsist on seven or eight shillings. Could it then be said that it mattered not to men, under such circumstances, whether the price of the quartern loaf was high or low, when it was clear that their situation was more or less bad, according as they could procure more or less of food for their support?"

Both bills passed the House of Lords on the 26th of May.

During the recess an event of the kind provided for by Parliament, did occur in the failure of the crop of oats. At the beginning of September, they rose to the high price of thirty shillings, and an Order in Council was issued, allowing them, and some inferior kinds of grain to be imported, subject to a duty of 2s. per quarter on oats, 2s. 6d.

per bole on oatmeal, and 3s. 6d. per quarter on rye, beans, and peas.

In the mean time writs had been issued for the election of a New Parliament, which, with a view to the indemnity of Ministers, and the confirmation of these duties, was called together for business on the 14th of November.

This was mentioned in the speech delivered by the King in person. It also dwelt on the satisfactory termination of the late war with the Burmese.

Lord Liverpool, in reply to Lord King, on the 29th, repeated a declaration made by Mr. Canning in the debate on the address, that Ministers were prepared to propose a general measure in regard to the Corn Laws; but that they thought it would be unfair both to Parliament and the country, to bring it forward before the Christmas holidays. It had been fully understood that Parliament was not to meet for business till after Christmas, and that it had been convoked in November merely for a special purpose. It would, therefore, be unjust to enter upon business which it had been negatively intimated would not come at present under the notice of Parliament; and, independently of other considerations, the complicated interests involved in the subject, would of themselves, have prevented Ministers from entering upon it, until they were sure of a full attendance.

The last topic of parliamentary consideration before the recess, was the assistance afforded by Government to Portugal. John IV. who died in March, was succeeded, according to the old constitution of that monarchy, by his son, Don Pedro, now Emperor of Brazil; but the laws of the latter country provided that its crown should never be united on the same head with that of the mother country. Don Pedro had, therefore, to make his election between them; and preferring to remain in his transatlantic dominions, resigned the crown of Portugal to his infant daughter. He at the same time appointed her a Regency, and gave to Portugal a representative constitution. The cabinet of Spain, alarmed at the near approach of a more liberal system of government, countenanced the intrigues of the Queen-Dowager and Don Miguel (who had been altogether passed over by his brother in nominating the Regency) for a counter-revolution and the restoration of arbitrary power. Deserters and rebels from Portugal were openly received and armed on the Spanish frontier; and the Portuguese ambassador in London applied for British aid. Remonstrances on our part with the court of Madrid had been hitherto met with hollow promises and the open denial of unquestionable facts.

On the 11th of December, therefore, Lord Bathurst in the House of Lords, and Mr. Canning

in the Commons, presented a message from his Majesty, expressing his firm determination to prevent any hostile aggression upon Portugal.

It was on the motion for a corresponding Address, that Mr. Canning delivered perhaps his most celebrated speech. We regret that we have no room for an extract. Lord Liverpool was, at this time, slightly indisposed; and, we believe, at Bath.

In the House of Lords the address was seconded by Lord Holland; and Lord Lansdown declared his full approbation of the conduct of Ministers. In the Commons, Sir Robert Wilson, Mr. Brougham, and Mr. Baring, supported the address. Opposition and the whole country (with inconsiderable exceptions) felt the generous feelings and manly firmness which had dictated the present steps; and on Christmas-day, the first detachment of a British force, which preserved the peace of Europe, cast anchor in the mouth of the Tagus.

Parliament met, pursuant to adjournment, on the 8th of February, 1827, and Lord Liverpool, after first giving notice, in the House of Lords, that he should move on the following Monday, an Address of Condolence to his Majesty, on the melancholy loss of his brother, the late Duke of York, said, "it was his intention to submit to the House, on Monday se'nnight, the views of Government on the Corn Laws."

Lord Lauderdale objecting to this as too short a notice—

His Lordship added, that "he had no intention of precipitating the enquiry or determination of the House; but that after stating the views of Government on Monday week, he should propose a farther day for the discussion of the subject, giving every reasonable time for the House and the public to consider it."

Lord Liverpool was permitted to fulfil but one of these pledges, *i. e.* to move the address of condolence to his Majesty. In performing this melancholy duty, he very ably reviewed the entire claims of his late Royal Highness on the public regard, and the peculiar situation in which he stood to the King. "Of nearly the same age, they had been educated," he said, "together, and walked as it were side by side through life: though of differing opinions in some points, (and what two minds were perfectly one in all things?) their friendship, their brotherly regard and intercourse, were never broken in upon until by the present mournful event.

"Their Lordships, he knew, would follow him in the just admiration commanded by the noble Duke's services to the country. He (Lord Liverpool) had opportunities of personally knowing the state of the army at the period of his Royal Highness assuming the command; he had watched

the measures by which it was, in point of fact, formed and constituted the army that had brought to an issue a war, which threatened the very existence of the country, and involved all Europe; an army with which his noble friend near him (the Duke of Wellington) had been enabled to free the Peninsula, and fight the battle of Waterloo! Never had the great power which his Royal Highness had to exercise for thirty years, been more moderately, impartially, and beneficially administered. He concluded with a warm eulogium on the integrity and urbanity of his Royal Highness:" and the address was carried *nemine contradicente.*

The Earl of Liverpool was in his place in the House of Lords on the 15th, and brought down a message from his Majesty, recommending a farther provision for the Duke of Clarence.

On Friday the 16th, he moved the order of the day for taking the royal message into consideration. "He should not," he said, "be under the necessity of occupying much of their Lordships' time on this occasion: he believed there was a general disposition to agree to the reasonable provision which he should propose, a provision which in due order must commence in another place; but he felt it his duty to apprise their Lordships of what was intended, *i. e.*, to add to his Royal Highness's income 3000*l.* a year, and to that of

his amiable consort, 6000*l.*;—3000*l.* more falling to his Royal Highness by the death of the Duke of York. He could not think that such a provision would be deemed unreasonable in the circumstances in which their Royal Highnesses were now placed. With respect to her Royal Highness the Duchess of Clarence, though she was comparatively a stranger in the country, all who had witnessed her conduct, and he spoke from his own experience here, would testify how proper was that conduct, and how worthy she was of the provision proposed for her." His Lordship concluded by moving an address expressive of the willingness of the House to make a suitable provision for their Royal Highnesses.

This was the last occasion on which this faithful servant of the crown and the country appeared at his post.

His Lordship retired to rest at Fife House at his usual hour, and, apparently, in good health.

On the following morning, Saturday the 17th of February, he took his breakfast alone in his library, at ten o'clock. At about this hour also he received the post letters. Sometime after, his servant not having as usual heard his Lordship's bell, entered the apartment, and found him stretched on the floor motionless and speechless. From his position, it was evident his Lordship had fallen in the act of opening a letter.

Dr. Drever, the family physician, happened at this moment to call; Sir Henry Halford and Sir Astley Cooper also were sent for—when it appeared that his Lordship had been seized by a fit both of an apoplectic and paralytic nature, which affected the whole of his right side.

His Lordship has since experienced a slighter second attack; but the progress of the infirmity that has prostrated him, belongs to the shade of that privacy which was ever his solace; and in which he still lives to reap the reward of his many private virtues.

THE END.

LONDON:
PRINTED BY S. AND R. BENTLEY, DORSET-STREET.

THE

LIFE,

POLITICAL AND OFFICIAL,

OF

JOHN, EARL OF ELDON,

LATE LORD HIGH CHANCELLOR OF GREAT BRITAIN,

&c. &c.

"Equity is a roguish thing: for law we have a measure, and know what to trust to: equity is according to the conscience of him that is chancellor; and as that is larger or narrower, so is equity. 'Tis all one as if they should make his foot the standard for the measure we call a chancellor's foot. What an uncertain measure this would be! One chancellor has a long foot; another a short foot; a third an indifferent foot: 'tis the same thing in the chancellor's conscience."—*Selden.*

LONDON:

PUBLISHED BY HUNT AND CLARKE,

NO. 4, YORK STREET, COVENT-GARDEN.

1827.

James Whiting, Engraver and Printer to His Majesty for the Prevention of Forgery,
Beaufort House, Strand.

THE

LIFE OF LORD ELDON,

&c. &c.

CHAPTER I.

MR. SCOTT'S EARLY LIFE—CALL TO THE BAR—ATTENDANCE ON THE NORTHERN CIRCUIT—HIS CLANDESTINE MARRIAGE.

THE judicial life of the Earl of Eldon being at length brought to a close, it will prove interesting and useful to glance back on the events of his singular dynasty, and endeavour to give posterity the advantage of a contemporary opinion upon its merits. If there be allegations against the chancellor, the minister, or the man, which he can successfully answer—if there be doubtful passages in his history, which he can explain to his own credit—then he should be grateful to the humble monitor that gives him the opportunity of defence. And, lastly, if the balance of impartial testimony, and the dreaded decision of conscience —now vindicating its authority in the solitude of retirement—give substance to those charges, and resolve those doubts against the accused—then

happy may he consider his lot to be, that a remnant of existence is still vouchsafed to him for the purposes of penitence and expiation.

Lord Eldon, it will be denied by no one, long possessed the largest, the most efficacious powers of any man in England—the king not excepted—to lay the foundation of his country's welfare. There was no one to give him any effectual opposition, if it had been his wish to be a benefactor; no one, even, would have thought the worse of him for being so: on the contrary, there was not a spot within the British dominions to which his carriage would have dragged him, where he would not have found esteem and applause; and that tribute of gratitude would have been echoed, heartily and sincerely, in after times, when every trace of his own generation would have long been obliterated.

He rose from the ranks of the people. It was his duty—it is the imperative obligation of every man who builds him up such a towering structure of earthly fortune—to prove, by some splendid return of service to his country, how wise is that constitutional principle which places the materials within his reach. Let him do such deeds that every man's heart will desire to see the example of his elevation drawn into a precedent. It is a heavy debt which the ermined peer owes to the plebeian adventurer—the Earl of Eldon to John Scott—and, woe to him! he has very partially purged off the claim.

In the latter part of the year 1749, Mr. Scott, the second son of Mr. William Scott, of Newcastle-on-Tyne, was born. The father originally was in the situation of a domestic in the family of the Earl of Strathmore: he was a thrifty, well-conducted man, and contrived to accumulate a moderate fund from his earnings, wherewith he commenced the business of a coal-fitter in the town above mentioned. William Scott (now Lord Stowell) and the subject of this memoir, were sent to the grammar school at Newcastle, where they spent the usual interval that precedes a translation to the university. Happily the two boys were able to profit by the *exhibitions* enjoyed by the grammar school of their native town; and they went to Oxford. To this day Lord Eldon strives to give importance to these foundations; and part of his wrath against Mr. Brougham is accounted for by the unsparing investigation which that gentleman has been so successful in opening into their time-honoured abuses.

The Scotts were looked upon as clever boys; William was lively and social; John was a more passive character. They maintained themselves at the university chiefly by the fruit of their own exertions. William gave public lectures at Oxford, for which he had to stand many a jest afterwards from Dr. Johnson.

John Scott entered the Inner Temple in Hilary term, 1772. He kept sixteen terms, and was called to the bar at the age of twenty-six, in

the year 1776. Whilst he was yet on his pilgrimage to the profession, he was distinguished by great legal attainments. He was never known to sacrifice even a moment, beyond what was absolutely needful for health, to amusement: and, in his zeal for a knowledge of the law, he abandoned the pursuit of almost every other species of information. "Where do you dine to-day?" his brother William would sometimes say to John, with a view of engaging him to meet Johnson, Boswell, or some other of the literary men with whom it was William's delight to be in constant association. The uniform answer to this interrogatory was, "I dine on Coke to-day." "Nay, but come to my chambers—you 'll see the doctor." "He can't draw a bill." And here the conversation would drop. It was in consequence of this habitual aversion to any but professional occupation, that John was known so little to Boswell as never even to have been alluded to in his four volumes of garrulity, where William is so conspicuously mentioned.

The bias for legal inquiry was more a hallucination than a passion with the young barrister. Even in his recreations law was uppermost in his mind. I have it from the best authority, that it was once an amusement of John Scott to turn pieces of poetry into the form of legal instruments; and that he actually converted the ballad of "Chevy Chase" into the shape and style of a bill in chancery.

Some circumstances attended the very first

professional act which Mr. Scott was called on to perform, that had a tendency in directing his future fortunes. It was the first or second day after he had been called to the bar, and he was slowly leaving the court, when a smart dapper person, with a bag dangling behind him, overtook Mr. Scott. "I beg your pardon, sir," said he, hesitatingly and politely, "Mr. Scott, I believe?' The barrister bowed profoundly. "I have been looking for you, sir; you can do this as well as the best of them; I want you to sign this." And he pulled out a paper which required, as a matter of form only, the signature of a barrister, who was entitled to the fee of half-a-guinea for his share of the ceremony. The counsel bowed himself almost to the ground, and, seizing a pen, indited "John Scott" with greater pleasure than he ever before wrote the name in his life. "Beautifully written—clear open hand—it would be well if we could get the profession to write like that, Mr. Scott. Some of them make such an abominable scratch of it—we have clerks on purpose to decipher." And all the time the man was fumbling for the fee. He thrust his right hand into this pocket, his left into the other, and he looked on the ground with an air of great disappointment. "I must have left my purse in the coffee-room: it is only over the way. I beg you may not stir until I return." And had the green-horn of the law complied with this advice, he might have remained on the spot to this hour; "for never

since," has Lord Eldon been heard to say, "have I laid my eyes on the same man. But the event had its use. I promise you, I took care ever afterwards to let these gentry know, that when they brought their briefs to me, they should not leave their purses in coffee-rooms."

At the time when Mr. Scott began the world, the branches of practice which are now so distinctly followed, were scarcely discriminated in the eyes of the profession in general. Almost all the law judges were, previously to their elevation, chancery practitioners; and the great Lord Mansfield was exclusively devoted to equity business during the time that he was a counsel. Contrary to the modern custom, the barristers who frequented the Lord Chancellor's court, attended the country assizes. Mr. Scott was a member of the Northern circuit, besides being a draughtsman in equity. Success seemed hopeless for a long time. His business was confined, almost entirely, to the settling of an indictment, or to some paltry case of defence in the Crown court; a duty, in the discharge of which, as he himself often said, *he* is the best advocate who *says* the least. For several years the return was nothing like an indemnity for his expenses. It was lucky for him that, in the four northern counties, at this era, as well as for a number of years afterwards*, there was but one assize held

* In the town of Hull the assizes were held scarcely oftener than once in three years. It happened, whilst Mr. Scott attended the assizes, that a man was convicted at Hull of petty

in the year. The tax of attending a second journey to the North in the same twelvemonth would have been insurmountable. Even as matters were, it was with difficulty that our professional adventurer was able to keep in the train of the two judges, when the periods arrived for going through the course of the circuit. For the means of doing so, he ought never to forget that he was indebted to the confiding generosity of an Irishman. A young gentleman of the name of Sinclair, of Hibernian extraction, and denizened in the city of York, belonged to the junior bar, and was, of course, a great oracle in that metropolis of the North. As he was of a very frank and amiable temper, and withal very practical in his way of doing things, no one was ashamed or afraid to ask him for a favour. Mr. Scott did not hesitate to lay before him the unpromising condition of his affairs, and shook his empty purse in the face of his learned friend. "What am I to do? pray tell me." "Why," replied Sinclair, "if it be

larceny, but under such circumstances as to justify the court in saying, that six months' confinement was quite enough punishment for his offence. When brought up for trial the poor wretch had been in prison two years. Mr. Scott was an eye-witness of the enormous evils to which the want of a frequent gaol delivery in the North gave rise. But though he had the ear of Pitt, and though, with a dash of his pen, when chancellor, he could remedy the evil, yet a cure was left to be provided by the slow, embarrassed, but praiseworthy labours of Mr. Michael Angelo Taylor.

an *opinion* you want, you must consult me in the regular way; but if you stand in need of any money, I am your humble servant, and welcome." A loan of thirty pounds followed the conversation; and this was the precedent for another and another application to the generous creditor. At last Mr. Scott said, "I have gone far enough now, in all conscience. I give up the circuit, Sinclair; I am determined on it." "Nay, nay, Jack; you have too much law for that," rejoined the benefactor. "To be sure, you have lost some pounds amongst the dust of our northern roads here; but come, fling this much" (handing him thirty pounds) "in the same direction; and who knows but you may find them, and much more into the bargain." This very Sinclair is now the aged and venerable recorder of York, and has been long a welcome attendant at the circuit bar mess.

It was now within a few days of the end of the assizes at York, and both the judges were hurrying on the business; for, at that time, the interval allotted for the execution of the commission at York was by no means sufficient, and the judge, in the Nisi Prius court in that city, could never get over the necessity of leaving a "legacy," as it was called, in the shape of some four or five *remanets,* to his successor at the ensuing assizes. This was a subject of reproach to the administration of the law, and judges were very anxious to do it away. The moment was a critical one, therefore, when a case was called on, in which

Mr. Scott held a junior brief. The jury was regularly sworn; the crier had all the witnesses gathered under his box; and the judge looked down, expecting to hear some one open the pleadings. Mr. Scott slowly rose, and stated, that as the leading counsel in the cause, the attorney-general for Durham, was engaged all the morning in the Crown court in an unavoidable coining case, and would be able speedily to leave it, he hoped the court would postpone the cause for a few hours. "Call the next, Mr. Marshall," exclaimed the judge, in a tone which, it was well understood, imported not only "call the next," but also, "strike out the present case." Mr. Scott unfolded his brief, and forthwith proceeded to address the jury. He had settled the declaration in the cause himself; therefore he was ready at stating the facts. A Mrs. Fermor and a very elderly Miss Sanstem were adversaries at a whist party; when, by some extraordinary convulsion of nature, a dispute arose. Words were the prelude to blows; and, to the eternal shame of Yorkshire gallantry, Mrs. Fermor was forced from her chair, and compelled to measure her length on the floor of the apartment. The great point in the cause was, to ascertain who gave the first blow; and all the evidence, that which she produced herself included, led pretty directly to the conclusion, that Miss Sanstem was the original assailant. The case was indeed, in the general opinion, pretty clear against the young

lady. The judge was now about to sum up, when the adverse counsel took an objection to the form of the declaration. The chief count alleged, as it appeared, that the assault was committed by the *hand* of the defendant; and this expression ran through the remaining counts. Now the testimony of every one of the witnesses went to show, that if any violence was inflicted by Miss Sanstem at all, it was by flinging the *cards* in the face of Mrs. Fermor. Here was a fatal variance; and court and jury, and all the busy *amici curiæ*, were stock still. Mr. Scott, at length, rose with a face of the best possible humour, whilst every body thought it should have exhibited the marks of disappointment. "Very true, my lord; with her *cards* did Miss Sanstem commit this breach of the peace; we never meant to state any thing else; for surely your lordship need not be told—the gentlemen in that box have not to learn, at this hour of day—that, in the common parlance of the card-table, a *hand* means *cards*. She did, my lord, assault the plaintiff with her *hand of cards*." A buz of applause succeeded, and was gaining in strength, as the judge appeared to admit the validity of the explanation; for the injury to Mr. Scott's client was a very gross one, and excited the sympathy of the audience in her favour. In the libations, the same evening, by which witnesses, client, solicitor, and numerous friends, celebrated the triumph, the young counsel was deeply remembered.

It was during one of his professional visits to Newcastle, in the course of the circuit, that Mr. Scott first saw Elizabeth Surtees, and submitted to her charms. She was then a very elegant young woman, possessing a fine person and interesting countenance. She was mild and sensible, and more remarkable for a domestic turn of mind, than for any disposition to cultivate the fashionable accomplishments of the day. Those who know any thing of provincial assize courts, need not be told, that a very considerable proportion indeed of the audience, but particularly that select part which finds accommodation in the neighbourhood of the bench, consists of ladies. Miss Surtees, as she belonged to a very influential class of society in Newcastle, usually obtained a conspicuous place in court. Mr. Scott, having now but little to do in the way of business, would send his susceptible heart a-gadding amongst the circle of beauties; at last it found a resting-place in Miss Surtees. The time of year too, it being the height of summer, was particularly favourable to the inspirations of the amorous god. An understanding quickly grew up between the young people. They kept up a correspondence; but their love was too true to run altogether in a smooth current. Mr. Scott's pretensions to pedigree were notorious in Newcastle; but he was of a high profession, and a very successful member of it he promised to be. Very true; but he met the fate of all oracles—he received not the slightest credit in his own country.

Again, he carried his acres under his wig; and this was one of the circumstances that would have been taken into his most serious consideration by worthy Aubone Surtees, the gentleman whom the happy visions of the suitor barrister had so oft invested with the character of his father-in-law. Seeing that her family and friends made up their minds to oppose Mr. Scott's addresses, Miss Surtees took the resolution to act no longer by deputy; and drawing hope and confidence from her proximity to the Scottish border, she saw that it must come, at last, to a clandestine migration. But she postponed the avowal of her decision, only that it might have the graceful appearance of being *subsequent* to the ardent persuasions of the lover. But how and when he should convey to the ear of the young lady the interesting question, "Will you flee with me to the North?" was one of those points on which Mr. Scott first exercised that sceptical attribute of his, which afterwards attained such very inconvenient power in his mind. At length, it occurred to him to betake himself to the church on a Sunday, where, as soon as a convenient opportunity of communication with the object of his thoughts arose, he opened the prayer-book, and, with trembling finger, pointed to these practical words, "Wilt thou have this man to thy wedded husband?" Miss Surtees, country-bred as she was, knew too little of the tactics of courtship to conceal the emotion which answered affirmatively for her. The lover "read his hope's

sweet promise in her eyes;" the hour of interesting flight was appointed; and, by the favour of the night, she left her father's roof, never to return but as—Mrs. Scott. Her family would not, afterwards, treat for peace; they were inexorable to all applications of the kind. In a short time the world seemed to turn upside down. Riches and honours strewed the path of the slighted barrister. The Lord Chancellor would not now acknowledge the obstinate people who refused to countenance poor John Scott; and it was his painful duty to put the seal to a commission of bankrupt against Mr. Aubone Surtees. Some people said that he resentfully triumphed in the downfal of his father-in-law. That is not the case: he showed undeserved kindness to the family; and the name of William Villiers Surtees, a near relation to Lady Scott, figures at this moment in more than one place in the list of officers of the court of chancery, who are within the appointment of the chancellor.

Many anecdotes are told of the shifts to which the briefless barrister was put, in quest of business, on the northern circuit. The ordinary modes of conveyance in the North were, at the period we allude to, of such a description as to leave no option to a gentleman obliged to consult appearances, but to take a vehicle of terrific expense. Mr. Scott did not disdain, when he could do so without offence to the dignity of the bar, to trust to those instruments of locomotion which were in

fashion long before carriages were invented. He trudged it along in this primitive fashion, fatigued, but independent, and that too in a country where the going judges of assize usually received what was called "*dagger-money*," which was an additional sum to provide arms and other security against marauders.

CHAPTER II.

MR. SCOTT'S CHARACTER IN HIS PROFESSION—HIS DILIGENCE—ANECDOTE OF HIS URBANITY—LORD CHANCELLOR THURLOW—MR. SCOTT OBTAINS A SEAT IN PARLIAMENT—HIS FIRST SPEECH THERE—BECOMES SOLICITOR-GENERAL—HIS CONDUCT IN PARLIAMENT.

In every instance where diligence and accuracy could effect an object, Mr. Scott was sure to be superior to all competition. As an equity draughtsman—a mere artist in the law—therefore, he could not be excelled. His penmanship, at the time I speak of, as it is at the present day, was free, open, and legible. The modern fashion with lawyers appears to be, to aim as much as possible at the shapes of hieroglyphics in their writing. Not long since, a certain scrivener, in the neighbourhood of Lincoln's Inn, was in the habit of earning a very considerable income by the unrivalled skill which he attained in interpreting the hand-writing of Mr. Bell, late a practitioner in the Vice Chancellor's court. Mr. Scott was remarkably punctual in all his professional engagements; he was to be found at chambers early before breakfast; after dinner, he spent that time in business which others of the same calling devoted to recreation. There was no man of his day who was more accessible to clients, or who treated every sort of applica-

tion with more urbanity than Mr. Scott. Mr. John Thelwall, the lecturer, was preparing for the press sketches of the lives and characters of the principal lawyers of the day. So little interest was created by Mr. Scott at the time, that nobody knew any thing about him. The biographer had no resource, therefore, but to go to the fountain head. He proceeded accordingly to the Temple, and having gained Mr. Scott's chambers, he knocked at the *white* door. It was opened by a respectable-looking person, who Mr. Thelwall at once satisfied himself was Mr. Scott's chief clerk. "I wish to see Mr. Scott," demanded the applicant. "What is your business, sir?" "It is rather of a peculiar nature, and I wish to see himself." "It is absolutely necessary then," rejoined the supposed clerk, "that you should communicate the matter to me." "Well, then, my business is simply this---I am preparing for the press sketches of the principal lawyers of the day, the judges, the law officers, and a few others. I wish to state nothing inaccurately, and I am come therefore to beg the favour that Mr. Scott would furnish me with a few particulars of his history." "That *I* can do for you, sir, with great pleasure. Please to walk in." Mr. Thelwall was ushered into an inner apartment, where every question, which he thought necessary to put, was answered by the other readily and amply. "But, sir, are you quite sure that all these particulars are correct?" asked Mr. Thelwall, in conclusion.

"Perfectly," was the reply. "You probably know Mr. Scott a long time?" "Very long, sir. *I am* Mr. Scott." Mr. Thelwall, who was one of the politest young men of his age, did not fail to acknowledge the condescension of the eminent barrister in adequate terms, little dreaming how soon they were to come together, in a very different relation, at the court of the Old Bailey.

Mr. Scott, at a very early stage of his practice, began to limit himself to the equity branch. By degrees, too, he sought to emerge from the obscurity of chamber business, and to obtain employment in the more agreeable sphere of the court. Thurlow was then the chancellor. Some of us remember that strange man on the bench. He possessed great natural parts: but there was a degree of vanity in his sense of his own superiority, which made him an impatient, disdainful judge, and gave to his countenance an habitually boasting expression. He would sometimes stop the counsel—"Read your affidavit; I don't want *your* declamation." In the House of Lords he was domineering; and the late Bishop Watson adds, that he was "insincere." In fact, Thurlow, like the coward that blusters about, in order to frighten away his fears, was eternally saying or doing something on the woolsack, to insist on his equality with those around him: but the effort only showed how ill at ease he was in the company of gentlemen. In the cabinet he operated like a nightmare on the national councils. It was

antithetically said of him, that *he opposed every thing, proposed nothing, and was ready to acquiesce in any thing.*

But his intellect was of surpassing strength. He proved its power during Lord North's administration, which he sustained in the House of Commons, whilst attorney-general (to use Gibbon's phrase) "with majestic sense." He was, in truth, a strange mixture of vulgarity and elevation of spirit. He paid the utmost regard to qualification in all his appointments. He would go to the stake sooner than serve the ablest man whom he did not like: but, for a king's ransom, he would not promote his best friend to an office which he had not capacity to fill. When Davenport, afterwards Sir Thomas, whom Thurlow had every reason but one—unfitness—to wish to advance, wrote to the chancellor the following brief note: "My dear lord,—The chief-justiceship of Chester is vacant. Shall I have it? Yours, T. Davenport;" —his lordship as laconically replied: "No, by G—d. Kenyon shall have it. Yours, Thurlow."

Pepper Arden, afterwards Lord Alvanley, had the good luck to be especially protected by Pitt, and the misfortune to be disliked by Lord Thurlow. The young minister proposed to make Arden Master of the Rolls. Thurlow opposed. Pitt pressed. "Well, well," at last exclaimed the chancellor, "I don't care who the d——l you choose, so as you don't appoint one who, instead of lightening my burden, heaves his own d——d

wallet on my shoulders." Arden was successful; but Thurlow was so obstinate, that when he wanted a *locum tenens* in his court, he always had Judge Buller instead of the Master of the Rolls to sit for him.

The Chancellor, like a great many of his colleagues, had his *housekeeper;* but, unlike most of them, who found it necessary to look a little to appearances, he neither married nor dismissed her after his elevation to the bench.

Such a man as Thurlow could not have been, at any time, acceptable to the bar: the bar manifested its dislike of him in all legitimate ways. Mr. Scott, however, was blessed with that happy temperament which effectually prevented him from annoying or being annoyed. He was singular amongst his brethren for this natural perfection. He always wore a gracious smile in court. When he was to speak, he fixed his eyes upon the judge; then slowly rising, he seemed to get upon his legs only by the gradual permission of the bench. He proceeded with his argument. If the chancellor was uneasy, Mr. Scott took up another part of the case. If his lordship opened his lips, the learned counsel reverentially stopped to hear the words of the great oracle. Though the barrister was a little too profuse of speech, yet there never was a man who less interfered with the pride of Lord Thurlow than Mr. Scott. What was the consequence? The chancellor all but adopted him. One day he flung a bit of crumpled paper

to Mr. Scott, on which was written an invitation to join his lordship in his private room after the rising of the court. The invitation, under the circumstances, was a command. As soon as Mr. Scott presented himself, the chancellor came at once to the object of the interview. "Should you like to be a master in chancery? There's to be a vacancy shortly; and not much to be done." This office, in familiar parlance, was called the hospital for incurables. It was, practically, the grave of ambition. This was a sufficient reason why Mr. Scott declined the promotion.

In the year 1783 Mr. Scott obtained a patent of precedency, which gave him a silk gown and a place within the bar. He had the honour, likewise, of receiving a seat in parliament. For the first of these gifts he was indebted to Lord Thurlow; for the other to Lord Weymouth, son to old Thynne, who had been one of the "Bloomsbury gang." This gang was known to have ruled his majesty's counsels for many years, and to the demolition of its power Junius very successfully contributed. Mr. Scott was just thirty-three years of age when he became member of parliament for Weobly in Herefordshire. He was no more than seven years at the bar. No man before him received a silk gown at so tender a professional age. He was never fond of social amusements. Company had no charms for him. A little family began to accumulate: his growing emoluments enabled him to regard the increase of dependants

without any unpleasant alloy of solicitude on account of the future. Political connexions were not, in the mean time, uncultivated by Mr. Scott. They imposed on him the necessity of appearing frequently in circles which he was much too simple to hold any sympathy with. But still he was *of them.* One day some one asked him, in a large assembly, "Who was Junius?" He replied, "I may not be able to tell you who he is; but I am almost certain I can tell you who he was *not.*" "Well, sir, who was he not?" "No lawyer, that I'll answer for." "But what say you to his argument against Lord Mansfield?" "Any man may say as much, who began to study the criminal law only yesterday. But when Junius tells us that the King, Lords, and Commons, are the trustees of the estate, not the owners, and that the fee-simple is in the people, he will give me leave to say, that the barrister would deserve to be kicked out of Westminster Hall who talked such nonsense. In all trusts of inheritance the fee-simple resides *de facto* in the trustees, not assuredly in those for whose benefit the trust is created. Junius was never called to the bar, in my opinion."

In taking a seat in parliament, Mr. Scott may be said to have thrown away the scabbard. "I can see nothing in your protegé," said Mr. Pitt to Lord Thurlow. "Nor can any body else," was the reply, "until a bit of law is thrust under his nose; he is slow and sure. You have

Lee and Anstruther on the other side. I have nobody to send you. I have just put Thompson into the hospital." This meant, that he had given a mastership in chancery to Mr. Thompson, who was afterwards raised to the rank of a puisne baron.

Mr. Scott broke his first spear in parliament against Mr. Fox's India bill. Good God! that Charles James, so sound at heart, should have been so often rotten in the argument! the very best of breathing beings in practice, the next possible thing to a tyrant in theory. The speech of Mr. Scott was on the Pitt side of the question. It is a curious specimen of oratory, for it is marked by all the peculiarities of the man's mind. It ended in a glorious uncertainty: and the maiden speaker asked permission to take home the bill, that he might be able to give his opinion of it on a future day. That future day arrived in a fortnight, when Mr. Scott made an elaborate speech, as per order. This was, indeed, a Scotticism all over; a whining, canting, vaccillating affair; here a bit of censure, there a bit of praise; then censure, then praise; censure and praise again; and then he ended without concluding any thing. Upwards of a third of his speech was a quotation from the Apocalypse: a couple of lines from Horace, a free extract from Shakespeare, constituted the more popular parts of this oration. He snatched, from some very respectable curate perhaps, the opportunity of

making his fortune: and in truth it might have been, with the utmost propriety, left to the parson to prove, that Mr. Fox's India bill was prophetically described and condemned in the Revelations of St. John. This speech called forth a great deal of observation. This one laughed at it: another grew serious at the thoughts of it. Sheridan declared, that the learned gentleman appeared to make his discourse according to Lord Coke's method of making a lawyer: that is, he allowed a good deal for sleep, a good deal for equity, and something for praying. The lines of the famous commentator are—

> Sex horas somno, totidem des legibus æquis,
> Quatuor orabis.

I have now to consider Mr. Scott as a king's servant, in the possession of one of those outworks of office which is usually considered as the key to the heart of the citadel. In the year 1788 he was made solicitor-general, having attained his thirty-eighth year, being exactly the age at which the late Lord Gifford, thirty years afterwards, arrived at the same preferment. M'Donald was the attorney-general. The two law officers were to be knighted according to custom. But so simple-hearted was Scott, so averse to tawdry distinctions, that nothing but the dread of affronting the King could ultimately prevail with him to pass from the waiting-room into the royal presence, to submit to the *accolade*.

The great Regency question now put Pitt upon his mettle, and made active the whole household of dependants and expectants. He had, it must be admitted, the whip-hand of the Whigs on this question; and if he left his case to be negatively established by the self-discomfited efforts of the other side, he would have done very well. But Sir J. Scott succeeded in entangling the simple question in such a mesh of subtleties, that Pitt himself could scarcely disengage it from its embarrassments. The adversary gained time, along with a number of petty advantages that tended to diminish the glory of Pitt's victory. While some great principle of ministers lay almost expiring under the resistless assaults of Fox's eloquence, poor Sir J. Scott would be splitting hairs by the hour, until the capillary subdivisions became absolutely impalpable to the sense. When he was not thus fondly engaged, you might have heard him strenuously labouring for antiquity *versus* innovation, and passionately menacing, and convicting, and sentencing, all modern improvements, at the suit of our ancestors. One of his most favourite tenets was, that the political and the personal character of the king were inseparable in the eye of the law—as long as the king lived, the king governed. There was no decompounding a king, in Sir J. Scott's legal chemistry. What said Fact? Fact said—"His Majesty is mad." "Impossible!" exclaims Law. "But I have heard him

howl like a dog, and I have seen him attempt to jump out of the window,"* declares Fact. "Oh, *distinguo,*" rejoins Law, "it was the *man* that was mad—the *king* is still the old rock of wisdom that he was." "Is it so?" inquires Fact; "why then, I suppose, if the *man* jumped out of the window, the *king* would have remained behind." "Exactly so," was the reply. But the nonsense of this reasoning was the best part of it. It was very wicked to boot; for it imported that nothing but death could incapacitate a king from being king, whereas the Revolution declared that the title of the sovereign to the allegiance of the people might be forfeited. Such was the sort of reasoning, such the principles, by adopting which parliamentary lawyers began now to fall into contempt. Men remembered the golden times when Thurlow's sagacity, Wedderburne's skilful eloquence, and Dunning's acuteness, raised the authority of the House of Commons above its wonted level in the state; and they sighed to think that such times were not soon to return. Sir J. Scott's voice was naturally feeble; it was rendered more indistinct by a nasal sort of utterance which was peculiar to his family. So far he was disqualified for making any great impression on a popular assembly. Add to this his notions upon syntax and perspicuity, and you have a key to the causes why Sir John could never be heard with pleasure in the

* See Admiral Payne's Letters to Sheridan.

senate. His mode of thinking was sufficiently Dædalean—his language was a labyrinth all out. He would lay down a principle—all goes fair for a while—but soon you find him hemming it in with conditions and provisos; he eats gradually into it, until the substance is utterly gone. He starts an assertion—it is not out of his reach, before he waylays it with a set of clauses; and poor Assertion gives up the ghost in the arms of Hypothesis. His mind was better fitted for the Sorbonne than for the House of Commons; his metaphysical antics could never be relished by an assembly composed of some who wanted to do business, and others who came for amusement. The definition of the character of this sort of mind is hit off with the greatest nicety by a modern poet, in the course of an epitaph prepared by him, in anticipation, for the tomb of this very Sir J. Scott:

Here lies a lawyer—one whose mind
(Like that of all the lawyer kind)
Resembled, though so grave and stately,
The pupil of a cat's eye greatly—
Which, for the mousing deeds transacted
In holes and corners, is well fitted,
But which in sunshine grows contracted,
As if 'twould—*rather* not admit it;—
As if, in short, a man would quite
Throw time away, who tried to let in a
Decent portion of God's light
On lawyer's mind or pussy's retina.
Hence, when he took to politics,
As a refreshing change of evil,

Unfit with grand affairs to mix,
His little *Nisi Prius* tricks,
Like imps at bo-peep, play'd the devil:
And proved, that when a small law wit
Of statesmanship attempts the trial,
'Tis like a player on the kit,
Put, all at once, to a bass viol.

The parliamentary support of Sir J. Scott, for all these reasons, was as nothing in the eyes of the minister: and so little scruple had the latter in showing this opinion, that Mr. Pitt, on one occasion, when his solicitor-general had wasted a couple of hours in praise of some vital measure of the government, was fain to rise, next in succession after the learned gentleman, to address the house; a breach of etiquette by which the minister confessed that the labours of his immediate predecessor ought to go all for nothing.

But, with the abilities of the solicitor-general we have at present nothing to do. His principles are of more consequence. Let us mark, at this early stage of his career, the maturity of that hatred of *change* which characterised his after-life. His motto, in every thing but his own preferment, was *semper eadem*. On this he reposed. He put his back against the stream of improvement: he was sometimes moved off his centre by the swell of the current, but he shifted, as soon as possible, to his old position. What he did not or could not oppose successfully, he endeavoured, as it were, to hustle, and, by sly thrusts in the

dark, to destroy. Fox's great bulwark of liberty—the Libel Bill—was brought forward in 1792. It is very well known that this bill gave to the jury the whole right to decide upon the law and the fact in libel cases. Sir J. Scott took hold of the bill while it was in the lower house, and now picked a hole here, and now detected a flaw there; and after a great deal of complaining and whining, he at last came forth with his amendment. The preamble of this glorious bill ran thus: "Whereas doubts have arisen, whether the jury can take into their consideration the whole matter of charge." The Solicitor-General proposed to shape the preamble in this way: "Whereas doubts have arisen, whether the jury, *with the assistance and under the direction of the judge*, can take, &c." This was insidiously to do the very thing which the bill proposed to undo. "What!" exclaimed Fox, "you want to keep up the old quarrel—you want again to let loose the judge upon the jury." Erskine indignantly rejected the amendment also. It was, in any view, a strange proposition. It was so perfectly innocent in appearance, that it might have imposed upon less acute and vigilant understandings than those of Fox and Erskine. The wily assailant returned to his lair, disappointed of prey.

CHAPTER III.

SIR JOHN SCOTT CREATED ATTORNEY-GENERAL — STATE OF THE COUNTRY IN 1794 — PROSECUTIONS FOR TREASON — CASE OF HOLCROFT — OF HARDY — OF TOOKE — EFFECT OF THE VERDICTS IN THOSE CASES — SPIES AND INFORMERS — BAD PRECEDENTS — ARRESTS BY WARRANT OF SECRETARY OF STATE — PERSECUTION OF THE PRESS.

THE promotion of Sir John Scott to the office of attorney-general took place in the year 1793, a time when the vessel of the state was driven about as if by a whirlwind. We must *now* make allowances for the ministers of that day. The French were in the midst of those savage orgies—wading through seas of innocent blood—with which they thought it necessary to celebrate the birth of liberty. Is it to be wondered at that all good men, of whatever country, should refuse, for a season, to kneel before the altar which had been so disgustingly profaned? Many, however, of the people of this country—and it is likely that they should be some of the purest and the most generous men in it—took up the spirit of freedom in a way which, I suppose, I must be charitable enough to say, was very menacing to the safety of the nation. If the government, under those circumstances, had possessed true courage, they would, without doubt, have been enabled to produce a necessary degree of fear, respect, and forbear-

ance; effects which the proper manifestation of that quality never fails to inspire. But by railing at libellous news-venders, challenging provincial bill-stickers to mortal combat, shooting away, in the stupefaction of fear, their prosecutions at random, they exposed to the observation of all the world, how foreign from their counsels was the spirit of true courage. If ever there was a man calculated to be the executor of the deliberations of such a government, Sir John Scott was that man; and by a necessary consequence it follows, that there never was a public officer less adapted to the exigencies of the time. And in making this remark, it is candid to state, that I draw nothing in the way of confirmation of its truth from the circumstance that when, in 1793, a Mr. Mackreth, member of parliament, sent a challenge to Sir J. Scott, for a supposed personal offence, the latter disposed of the affair by a reference to the court of King's Bench, at the loss to Mr. Mackreth of the sum of £100 in the shape of a fine, and of six months of liberty.

Whether or not the attorney-general's conscience went along with his actions; whether he blindly complied with the minister's commands, or deliberately acted on his own sense of duty—are questions which I should feel very much disposed to settle in his favour. But they are left to be determined by history; and should that impartial tribunal condemn him, he will not have been the first law officer of the crown who made shipwreck

of his virtue. Never did court servility descend to greater debasement, never were more cruel persecutions inflicted in the name of law, than during the inglorious periods when Sir Edward Coke and Sir Francis Bacon filled the office of attorney-general.

But however that be, one thing is certain—that if constitutional liberty has been preserved to us at this hour, we have to thank, for that invaluable inheritance, the innate resolution of the popular British character alone. Here was England one vast scene of terror; the government in dread of the people; the people in dread of the government. Power went forth armed with the weapons which imbecile fears supplied. The gaols were filled either by convicts, or by candidates for punishment. No man counted on the continuance of his personal liberty for an hour. The father that took a cheerful breakfast with his family in the morning, might have had his next meal furnished by a turnkey. Secret committees of parliament sat to collect the fuel that was to keep the passions of the people burning. The habeas corpus act was withdrawn, and continued to be so for two years; and, heavens! what a term of bondage and mourning was that, the dark age of the history of freedom! Then fresh bills were brought in to "strengthen the hands of his majesty;" and all those means of fortifying itself were put in practice, such as a government might be supposed ready to resort to, which, more from feeling than

from reason, distrusted the efficacy of lenient and moderate measures.

All this want of wisdom in council; this disposition to turn a hostile face to the people; this confusion and weakness in the executive—were most forcibly illustrated in the progress of the state trials of 1794. Can the spirit which actuated the prosecutors in those cases, ever be forgiven? The very reports of the secret committee, which were to be put into the hands of the public, were marked in particular parts by italics. The effect of this little typographical manœuvre was perfectly well understood by that very House of Commons which allowed so unworthy a stratagem to escape without punishment, or even without notice; for it was but some few years after the union with Ireland, that the honourable member for Galway had a printer called to the august bar of the House for the enormous offence of publishing his speech. "The report," argued the printer, "is perfectly correct." "But observe those passages in italics," said the honourable gentleman. "Those I can prove," replied the man at the bar, "to be the very words you spoke."—"Yes," exclaimed Mr. Martin, triumphantly, "but did I *spake* them in italics?" The validity of the distinction was instantly recognised by the house. In addition to this, a degree of almost personal hostility was manifested to the prisoners by the government party, from the very highest officers to the meanest underlings. It

was offered to be proved in a public court, that as a turnkey was conducting a herd of those victims (for it is by flocks they are to be counted) to their dreary abode in prison, he swore that he would gladly go naked all his life to have them all hanged and beheaded. It is not possible to refer the proceedings of the crown officers, at that crisis, to any consistent principle whatever. Some were indicted without being apprehended; others were apprehended without being indicted. Mr. Holcroft, the ingenious author of the "Road to Ruin," by a simple act of bold innocence, threw the whole tribe of prosecutors into dismay. The judges under the commission, and the crown lawyers, were sitting in Hicks's Hall, waiting for the decisions of the grand jury on the bills of indictment, when a true bill was returned, amongst others, against Holcroft. A friend of his, who had been accidentally present, went running to Newman-street to warn the gentleman of his danger. In half an hour, Holcroft, to the astonishment of the court, presented himself in Hicks's Hall. Now, nobody knew him there; and to take a stranger into custody, upon no better authority than his own declaration of his identity, was a proceeding, as Sir J. Scott expressed it, "unknown to our ancestors." Such bungling, such absurd manœuvring, were never heard of. The lawyers, for the life of them, could not agree what was best to be done with him. If he had burst his cerements, and appeared a living skele-

ton before the court, he could not have produced more consternation among them. In conclusion, he was taken into *conditional* custody for three quarters of an hour. Then he was let loose; then he was taken prisoner again, and kept in Newgate for six weeks; and then he was enlarged, without trial, without apology, without redress. This treatment, by the prosecutors of those whom they found to be innocent, was quite of a piece with the little tricks of professional art, which they practised against those whom they believed to be guilty. The apostolic number of *twelve* persons, chosen for its omen by the pious Attorney-General, was crowded into one indictment, with barely a count a-piece for the whole of them. The names of no inconsiderable portion of the inhabitants of Middlesex were handed to each of the prisoners under the facetious title of a "list of witnesses." When, on the 8th of April 1793, the traitorous correspondence bill, of which Sir J. Scott was the parent, underwent the consideration of the House of Commons, Mr. Fox proposed to add a clause giving the party accused under the act the ten days' notice, the copy of the indictment, and the list of witnesses—those rights, in short, which were given to prisoners in other cases of treason. "Why," said Pitt, "to tell you the truth, I think the list will only embarrass the accused, for, you see, how easy it is for the prosecutors to overwhelm him with a whole cloud of witnesses." Does not the reader at once recog-

nise, in the practice of 1794, a complete gloss on the text of 1793? The prisoners being determined to fight singly in this memorable contest, Hardy was the first that was tried. It was a sight that would move a stone to pity, to see twelve picked lawyers, trained in the warfare of words, urged to strive for victory by all the motives which gratitude, and the more powerful principle still, expectation, give rise to—to see such an array of superfluous strength pitted against an humble tradesman. What a short-sighted manager must he have been, who, by such an exhibition of elaborate preparation — who, by a speech of nine mortal hours in length, could have alarmed the suspicions of the jury! The case went on; and up to Erskine's speech for the defence, the prosecutor was sure of his game. After that address Sir J. Scott showed symptoms of apprehension. Mr. Vaughan, now Baron Vaughan, was sitting near the prisoner's counsel; he indulged occasionally in a suggestion for the benefit of Hardy. The Attorney-General, darting a look of fierce anger at him, insisted upon his silence. Vaughan returned the rebuke, and defended himself with spirit and success. Several witnesses were called for the defence. Scott cross-examined them all, with one or two exceptions, himself. "Did you, sir," said he to one witness, "at the Crown and Anchor Tavern, on the ——?" mentioning a particular day. *Witness.* "Do you mean when Mr. Horne Tooke was in the chair?" *Counsel.* "No,

sir: I mean when *citizen* Horne Tooke was in the chair?" The impartiality of this plan of interrogation will be appreciated, when it is recollected that Tooke was himself to be tried, in a few days, on a charge of high treason. About three or four years ago Lord Eldon was an official party to the appointment to the office of high sheriff of the county of Oxford, of a gentleman named Stuart. Is it possible that the then Lord Chancellor should have recognised, in that very high sheriff, the person of simple Dan. Stuart, secretary to the committee of the friends of the people in 1794, a principal witness in favour of Thomas Hardy, and one whom he, as Attorney-General, subjected to a most rigid and contemptuous cross-examination at the trial? Every body knows that Hardy was acquitted. He recommenced business at No. 36, Tavistock-street, where, poor fellow, he invited the patriotic public to purchase his boots and shoes, and his clogs: and I never could hear that the Attorney-General, or his learned brethren, sent the worthy shoemaker an order for any of his articles.

The experiment against Hardy having failed, the place of dignity and importance in the next prosecution, that against Tooke, was awarded to Sir John Mitford, the present Lord Redesdale, Scott consenting to stay in the rear, to take care of the reply. The pleadings on this trial were opened by young Perceval, who afterwards grew up, so surprisingly, into a chancellor of the exchequer.

Tooke had a mortal antipathy to the Attorney General, and on his arraignment, when the usual question was put to him, "How will you be tried?" significantly looking at Sir J. Scott, and shaking his head, he replied, "I *would* be tried by God and my country." I do not think there ever was in this world a more striking picture of moral intrepidity than was presented in the person of Horne Tooke during his trial. His examination of Pitt, the minister, was a most memorable scene. The celebrated Duchess of Devonshire entered the court in the midst of it. She was attended by Sheridan, who was subpœnaed, as well as Pitt, by the prisoner. By and bye the Attorney-General began to wrangle. "I thought," said the duchess to Sheridan, "that Sir John had been a moderate man." "Moderate!" exclaimed Sheridan; "oh yes, quite *fierce for moderation.*" The titter that followed, in the quarter where the witticism was uttered, almost interrupted the proceedings of the court.

Erskine became illustrious from the part he took in those trials; but I am now satisfied, that the true source of that power over juries, which he possessed in a greater degree than any other advocate, either before or since his time, is to be found in a warmth and kindliness of heart; an honesty and sincerity of purpose; in a proud, undaunted independence; which mingled themselves in all he did, or all he said, in the course of his professional exertions. How could any man, with a heart beating in his

bosom, resist the force of appeals in which these qualities were united? At times he awed the bench itself. But there was not the slightest grain of insolence or vulgar assumption in his demeanour.* His collisions with the court, which were not few, were certainly not of his seeking. After the jury in Horne Tooke's case retired from the box, to consult upon their verdict, the Chief-Justice called to Mr. Erskine, evidently intending to say something in private to him. The latter did not hear the invitation at first, and it was repeated. "If you wish, my lord," replied he, "to speak to me professionally, I am ready to wait on you: but if you want to speak to me as a private individual, I will *not* attend you." The judge, angrily, "You will *not?*" Mr. Erskine, raising his voice, "*I will not*—does your lordship understand me *now?*" Erskine was afterwards sorry for this unnecessary sharpness; but his feelings were intensely wound up at the moment.

* Erskine was the most popular man in his own profession, particularly with the junior bar, that ever wore a gown. That, I am sorry to say, is very far from being the character of some, at least, of those who now fill the rank of leaders within the bar. It is but a very few years since, that one of the most eminent of the King's counsel was one day addressing the bench, during term, when he was interrupted by Mr. Adolphus, who was retained on the adverse side. The former, with a look of offended dignity, turned round, and said, "I beg you will bear in mind, sir, that you are not now in the Old Bailey." "I know very well," replied Mr. Adolphus, "that I am *not*; for *there* the judge, not the counsel, presides."

He had, in common with many of the great men of the day, a high respect and regard for Horne Tooke, and a corresponding interest for his fate on this critical occasion. Many persons showed their friendship for that celebrated man in a way that selfishness, if they had any, would have opposed. It is a curious fact, that on the very night of his liberation, Horne Tooke, his daughter, and two of his friends, were accommodated with beds in the house of the famous surgeon Cline, in St. Mary-axe. After the verdict of acquittal was pronounced, the little party, in order to avoid the tumultuous populace, proceeded from the back of the Old Bailey into Surgeons' Hall, and thence they went unobserved to Mr. Cline's residence.

How comes it to pass that the state prosecutions of the British government have been so uniformly marked by defeat? It may be answered, the next to omnipotence of the accuser—the nakedness of the accused—raise up the pity of every man into a sort of shield for the weaker party. That goes far in his favour. But, by some fatality or another, it has happened that all those prosecutions, from time immemorial, have been characterised by a degree of meanness, by a familiarity with unworthy stratagems, by an extent of immorality in the means employed to carry them on, which no man could attempt to practise in the affairs of private society, and hold, for half a day afterwards, any rank above that of an outlaw. Men become disgusted with these tricks—disgusted with them still

more when they are confounded with the grand deliberative acts of state. And here is the true spring of that reaction which is sure, when it takes place, to carry the public, and juries, which are generally, as to political questions at least, the most faithful representatives of the public, very far indeed on the side of the prisoner.

The verdicts of 1794 strangled, as it were, in embryo, that monster, "constructive treason," which, if it had been once permitted to see the light, would assuredly, after no great length of time, have grown too strong for even the robust arms of liberty in this country. As it was, incalculable mischief was done, and chiefly by familiarising the public mind to examples of the violation of the usual constitutional order of things. *Then* it was that a new character came upon the scene: *then* it was that the true spy creature, that triple compound of instigator, eaves-dropper, and informer, which, in the maturity of its hideous proportions in 1817, shook these realms with terror,* began to distinguish itself from the old, comparatively innocuous, species.

The mere *spectator* spy—the simply passive

* ——— hæc ——— latratu regna trifauci
Personat adverso recubans immanis in antro.

This description of Cerberus admirably specifies the malignant power and the disposition to conceal himself, which are so truly characteristic of the spy.

Stretched in his kennel, monstrous *Castles* round,
From triple jaws made all these realms resound.

informer—the *delator*—is a very old character in the world. But though he has existed in almost all countries, and though, unfortunately, he has been cherished in some, yet the concurrent sense of all good and great men seems to condemn the spy. Tacitus inveighs against such persons with asperity. "Trajan," says Lord Chancellor Somers,* "was an excellent prince, endowed with all heroical virtues; yet the most eloquent writers, and his best friends, found nothing more to be praised in his government, than that in his time all men might think what they pleased, and every man speak what he thought: and he had no better way of distinguishing himself from his wicked predecessors, than *by hanging up the spies and informers* whom *they* had employed for the discovery of crimes." Burleigh and Walsingham, unfortunately for the purity of their fame, hired spies and informers to watch suspected persons. But Hume admits that even the intelligence and caution of these great ministers were not sufficient to enable them to see into the falsehood of some of the calumnies which they hearkened to; and the consequence was, that all the subjects were kept in the utmost anxiety and disquietude. And to show how easily this nation may be reconciled, by custom, to the most odious things, it is only necessary to state, that so legitimate a political character did a spy at last become in England,

* "Security of Englishmen's Lives"

that in the reign of Queen Anne a permission to exercise the office was granted by royal license. A copy of one of those licenses is taken from the "Memoirs of John Ker, of Kersland," a gentleman of Scottish extraction:

"Anne R.—Whereas we are fully sensible of the fidelity and loyalty of John Ker, of Kersland, Esquire, and of the services he hath performed to us and our government, we therefore grant him our royal leave and license *to keep company and to associate himself with such as are disaffected to us and our government, in such way or manner as he shall judge most for our service.* Given under our royal hand, at our Castle of Windsor, the 7th of July, 1707, and of our reign the sixth year."

But notwithstanding all this extraordinary encouragement, even in this very reign Swift did not fail to reprobate informers as being the most pernicious, corrupt, and pestilent crew that ever existed on the earth. This opinion actuated the policy of Lord Falkland, when he filled the office of secretary of state; and Lord Clarendon mentions it, to the praise of that statesman, that "he never could bring himself to employ spies, or to give them countenance or entertainment, particularly that sort of spies who, by communication of guilt, and dissimulation of manners, wound themselves into such trusts and secrets as enabled them to make discoveries; for he was persuaded that no single preservation could be worth so

general a corrupting of society as the cherishing of such persons would carry with it." To these we might add the testimonies of such men as Montesquieu and Burke, and many authorities in our own immediate time, whom it would be idle to suspect of any democratic partialities.

If then, in the year 1817, the system of *espionage* was carried to perfection in this country, we have to thank the administration of 1794 that they paved the way to that unhappy consummation. That era, so fertile in unconstitutional precedents, furnished the example of another equally odious and dangerous practice—that of arresting persons on the mere warrant of the secretary of state; a power which was always disputed, and which, but for the mischievous activity of the crown lawyers of 1794, might have fallen into desuetude long before this. And here let us not fail to mark the radically encroaching nature of arbitrary power. Not only all the unusual measures which had been resorted to in 1794, were enacted over again in 1817, but they were revived with considerable emendations; for Lord Eldon, in the latter year, boldly and stoutly maintained it to be the right of magistrates to hold parties charged with libel summarily to bail; whereas in 1794 he did not dare even to hint at, much less openly to broach, a doctrine so subversive of the liberty of the subject. It was not that, as attorney-general, he felt any tenderness for the press, Heaven knows; for there was hardly a county in England which had

not its victim to a charge of libel, during his administration of the offices of solicitor and attorney general. Never in England did the press groan under such persecution as during the period when the discretion of prosecuting was vested in Sir John Scott. From the time that he was appointed solicitor-general, to the day of his promotion to a peerage, the aggregate sum of years of imprisonment denounced against Englishmen for alleged libels alone, falls very little short of half a century! The amount of fines in which the same parties were concomitantly condemned, would have made a fortune for any man of moderate ambition!

We turn next to the claims which the Attorney-General of 1794, in his capacity of senator, possesses to the gratitude of his country.

CHAPTER IV.

SIR J. SCOTT'S PARLIAMENTARY CONDUCT—ANECDOTE—CREATED CHIEF JUSTICE OF THE COMMON PLEAS—AND LORD CHANCELLOR.

Sir J. Scott, we have seen, persecuted the press. Like a good subject and a good Christian, he wished to put down blasphemy and sedition. Very well. Why did he confine his activity to offenders alone? The instinct that prompts us to take up arms against our enemy, makes us open our bosom to a friend. Dr. Watson wrote his "Apology for the Bible" in 1796, a small work which effected more good in one month for Christianity, than the scourges of the Attorney-General accomplished in five years. And what was his reward? Neglect and contempt. When the prelate, some years afterwards, addressed a letter to Lord Eldon, touching a branch of the ecclesiastical law, which, it was universally admitted, stood in need of amendment, the learned lord forgot his usual politeness, and left the bishop to guess whether his epistle had been received or not. But Watson was a reformer: to have held communication with such a man would have been a violation of the provisions of the sacred bill against traitorous correspondence. His present

majesty was not so unjust as the ministers of his illustrious father, to the claims of merit. In the year 1812, Mr. Braddyl, by order of the Prince Regent, made an official notification to the Bishop of Llandaff, stating that, some days before, a banquet was given at Carlton House; that after dinner the conversation of the company turned on the prevalence of vice, when Mr. Tyrrwhit took occasion to mention the case of a Sussex baronet, one of the most forbidding atheists, both in theory and practice, that ever society was disgraced by; —that he, Mr. Tyrrwhit, one day, being in company with the unbeliever, stopped a complete cataract of curses and blasphemy from his lips, by a sudden recommendation to read the "Apology for the Bible;"—that the baronet complied with the invitation, whereupon he was seized with all the symptoms of shame and remorse for his past life, and finally resolved to be a pattern of Christian excellence. Now, in the opinion of all impartial men, a line from the Chancellor, the dispenser of ecclesiastical patronage, to the deserving bishop, then at the very bottom of the scale of preferment, would have done more honour to the character of the government, than the empty praise of Mr. Braddyl.

It was not indeed in the heart of Sir J. Scott to allow any body to keep down infidels but himself. He was filled with jealousy at the impertinent attentions of any other man in the world to the monarchy of England. There was some reason

for this affectionate connexion between the attorney-general and the crown. They are tied to each other by the relation of client and advocate, and the solemnity of an oath binds the one to take care of the peculiar interests of the other. Besides, how is the path of preferment, along whose infinite space attorney-generals are ever delighted to sweep their eyes, to be gained, except it is through the favour of the king? To expect, therefore, in him who exercises such an office, a friend to popular rights, would be attributing an unreasonable proportion of virtue to human nature. Hence I willingly close the account with the Attorney-General at this place.

Whilst he held the office of which I have just made mention, Sir J. Scott was not inattentive in the senate. We have already opened the volume of his parliamentary history. It is convenient to return to the page where we have stopped. In the session of 1794 a bill was brought into the House of Commons; the object of it was to assimilate the criminal laws of Scotland with those of England. The policy of such a measure it belongs not to me to discuss. Sir J. Scott opposed it: let us listen to his reasons with profound attention. He thought the criminal laws of this country were too defective, too full of abuses, to be deliberately handed over to another with the recommendation of an act of the legislature. "Why," said he, "your laws are full of abuses; there are your judges with a discretion in awarding punishment—

a dreadful power! And look, how severe is this code of yours!—It happens that men are daily tried for crimes which the law calls capital, but for which it would be so horrible to inflict capital punishment, that the judge makes the jury find a verdict which fixes the value of the stolen article at a sum under one shilling, when it is notoriously worth several pounds." Let us pause at these words: let us think of them over and over: let us recur to the parliamentary record, and be sure that we mistake him not: let us strive to make out that these were not the expressions of a man who spent a quarter of a century afterwards in protecting and praising this criminal code, in calling down vengeance on the profane hands that dared to meddle with the discretion vested in the reverend judges for the wisest of all possible purposes! Well, but he denounced the abuses of the criminal code! Ah, there was no harm in being a critic then: there was no Romilly in parliament, no Macintosh in political existence. The words were spoken to the winds. Here indeed was one little slip of candour; but the consistent life of Sir J. Scott makes the indiscretion almost less than venial.

If we next examine the course which he pursued upon the various items of parliamentary business at this period, we in vain look for a single expression worthy of a jurist, a legislator, or a statesman. The bills for suspending the Habeas Corpus Act should have been supported upon

some great comprehensive principle. The task of doing so Sir J. Scott devolved upon others: it delighted him more to finish an elaborate succession of subtleties, like the curious ball within ball that is wrought by the Chinese carver. The Prince of Wales's Annuity Bill provoked a long and able discussion in 1795. Sir J. Scott left the high road of debate, and wandered here and there to find some congenial topic on which to rest. At last it was asked upon what tenure the Prince of Wales held the duchy of Cornwall? The lawyer seized upon the suggestion as on a treasure; it seemed to be inexhaustible in his hands. Every measure of government, it is superfluous to say, met a ready partizan in the Attorney-General. He supported the Seditious Meetings Bill in 1795; he carried the Treasonable Practices Bill by the strength of government in the same year. In 1797 he promised with Pitt that the Bank Restriction Act would be but of temporary force; he reiterated the assurance, and yet kept up that act for twenty years afterwards. He must next strengthen his hands against the press; a new bill was brought in to enable him to aim with greater certainty at public writers. He gained his point amidst the lamentations of the good and the just. Like other insidious measures of the same period, it was fair without, and malignant at the heart. We know not to what lengths the law of libel would have been pushed by Sir J. Scott, had his discretion been paramount in the legislature. He

was just then (1797) ardent in a prosecution against one Johnson for a state libel. Was it imputed to the defendant that he sought to vilify the king? to draw the government or the church into contempt? No—much worse—he offended the majesty of William Pitt! "And he, the said Johnson, did charge him, the said William Pitt, with being insincere in his endeavours to make peace." Such was literally one of the counts of this memorable indictment against Johnson.

We are now arrived at the eve of another century, and another epoch of the fortunes of Sir J. Scott. In the year 1799 he was advanced to the office of Lord Chief Justice of the Common Pleas, and on this occasion the honours of the peerage were conferred upon him. He was created Baron Eldon, of Eldon, the name of an estate in the county palatine of Durham. Even for the brief interval during which he held this judicial office the history of Lord Eldon offers matter for curious speculation. It was part of his duty, as Lord Chief Justice of the Common Pleas, to attend the circuit. At one of the assize towns, not far from the metropolis, he presided in the criminal court during the trial of a prisoner who was charged with horse-stealing. The evidence was conclusive against the man; the horse was traced to his possession; and a "knacker" from London proved that he had purchased the animal. The strange part of the story was, that though the value of the horse was, by universal consent,

fixed at seven shillings and sixpence, yet the unfortunate prisoner, having been found guilty by the jury, underwent the capital punishment in pursuance of the sentence of the judge. It will be asked why such extreme severity was resorted to in a case which apparently so little provoked it? Lord Eldon stated, that the immediate crime of which he was convicted was not the ground on which it was determined that the prisoner merited the last punishment of the law. There were, he said, skeleton keys found on his person, which opened every turnpike-gate within twenty miles of London. He, must have been, in contemplation of law, therefore, a chronic sheep-stealer. This exercise of judicial discretion gave rise to a great deal of observation.

On the 4th of April, 1801, Lord Eldon was raised to the dignity of Lord High Chancellor of England. This elevation was not unattended with personal inconvenience to his lordship.

One morning in September, 1801, a Jew mercer, from Holywell-street in the Strand, knocked at Lord Eldon's door, and desired to see his lordship. Mr. Hand, his lordship's factotum, appeared. "What's your pleasure?" "I vansh to see himself." "Well, you must tell me your business; you cannot see my lord otherwise." "Vell, harkee," said the Jew, "it's about Mr. Smith." "And who is Mr. Smith?" inquired the dignified man of office. "Vat! you not know Mr. Smith—Mr. *Scott* Smith?" "No, no such

person." "Vat! you not know Mr. Thomas Scott Smith, my lord's shaplain, eh? He says his prayers for him." "Lord Eldon has no such chaplain; he says his own prayers." "Vat! not a tall, thin, spare young man; my lord's own shaplain?" "I tell you, he has no chaplain of the sort." "Are you sure?" "Quite sure." "Then I'm undone," concluded the mercer. The key to all this was, that a young scoundrel, calling himself "Thomas Scott Smith," had the impudence to assume the character of a clergyman. He introduced himself to Mr. Fell, the curate of St. Martin's-in-the-Fields, as the nephew of Lord Eldon; and tendering his professional assistance to the reverend gentleman, who was then nearly incapacitated for his duties by severe indisposition, he was, with a strange want of circumspection, allowed to exercise ecclesiastical functions for upwards of a month in this parish. It is probable that he would have continued a much longer time in the usurpation of those faculties, but for his unlucky contact with the Jew. The pseudo-clergyman called at Holywell-street, at an early hour, on a certain day, and directed the mercer to prepare a set of canonicals for him by four o'clock on the same evening. In the mean time he borrowed a set at the shop, and stated that his name was Scott Smith, that he was nephew and chaplain to Lord Eldon, and acting curate at St. Martin's-in-the-Fields.

The cautious Israelite saw at once, after his

inquiries, the jeopardy in which his canonicals were placed. "I vill have 'em, or his life," he ejaculated, as he broke from the presence of Lord Eldon's man of business. He bent his course to the church of St Martin's-in-the-Fields. With most becoming gentleness of tread he penetrated to the vestry; and there—could he believe his senses?—stood Mr. Smith in living proportions before him." "I ask your pardon, sir," drawled out the Jew with an accent of the sweetest humility, "but I vas going to say that your canonicals vill be ready at three instead of four o'clock today." "I am very much obliged to you; pray send them to me here," responded the clergyman. "And I vas just going to add, that may be you have done with de old tings you borrowed in de morning; a customer has just called, and vanted de set; I would not for de kingdom disappoint him: a very respectable gentleman, I assure you." Mr. Smith very obligingly returned the canonicals; and there ended the priest's lesson to the Jew. The unfortunate young man was, almost immediately after this event, brought to punishment for heavier crimes of imposition than he attempted to practise on the confidence of the mercer.

There were those in the profession who, relying on the well known predilection of Lord Eldon for the usages of antiquity, concluded that, in imitation of Lord Chancellor Talbot, he would have revived the ceremony of "dancing round the

coal fire" at the Inner Temple, to celebrate his promotion. But the expectation was disappointed.

Lord Eldon made his *debut* in the House of Peers in the discussion of the Adultery Prevention Bill. Here again he turned reformer. He knew that every nine cases out of ten in which divorces were sued for in consequence of adultery, were founded on the most infamous collusion. The law on the subject, he said, was a farce and mockery. It could not, it should not, remain in that shameful state. But in this burst of indignation all his reforming avidity passed away; and he said no more about the matter.

So very evenly did Lord Eldon carry himself, that whether Pitt or Addington was minister, the current of his promotion never stood still for a moment. The Indemnity Act passed in 1801 laid all his fears. This act granted indemnity for all the violent transactions that took place since 1793, on account of which ministers and their agents justly feared being held responsible. It was a cruel measure; for not only did it invalidate the judgments which might ensue upon processes already begun, but it inflicted double costs on plaintiffs who had the presumption to appeal to the law for redress, notwithstanding the enormity and injustice of their personal sufferings. This act of indemnity left a degree of heartburning behind it, which was only outdone by the effects of its successor in 1817. The remaining part of the year 1801, the sessions of 1802 and 1803, fur-

nished Lord Eldon with very little opportunity of obtaining distinction in the senate. He had in the latter year, indeed, the unusual duty to fulfil, of vindicating the late ministry and supporting the present one; and it seldom happened that a debate was brought to a close in the Upper House without involving an accusation against one or other of the administrations. "I would sooner suffer death upon the spot," would his lordship exclaim passionately and piously, "than hear the conduct of the late ministry aspersed, without attempting their defence." This was a favourite style of eloquence with the noble lord. But the unseasonable application of his devout apostrophes often produced a result quite at variance with the intention which accompanied their utterance. It was a long time before he enjoyed any rest from ridicule, for having once stated, with his accustomed gravity, that "war, being a dispensation of a Christian providence, was peculiarly favourable to a Christian nation."

It will not be necessary to follow Lord Eldon through the details of his parliamentary life. Any good effect which such a tedious examination might give rise to, may be completely attained by adverting to his conduct on some of the questions that relate to the leading policy of this country.

CHAPTER V.

CHARACTER OF LORD ELDON'S MIND—HIS CONDUCT RESPECTING THE SLAVE TRADE—TOLERATION—THE CRIMINAL CODE.

NOTHING affects me with more unmixed surprise than the review of Lord Eldon's public life. How it is that one who was haply vested with almost omnipotence in the state, to whom health and such a length of official existence have been granted, how he could yet be the man to whose exertions scarcely a solitary measure of comprehensive utility can be attributed, is a problem of hopeless difficulty, at least, to the simplicity of reason. It is strange that, from taste, from duty, from whim even, he should never have taken it into his head to alter one thing or another during his life. Should we not account him a singular being who, in the course of thirty years, did not find the same house too little or too big? What door or window, what apartment will please, by its dimensions or position, the same individual for a quarter of a century without intermission? But Lord Eldon was not born with the capacity of invention. He could not originate any thing. His mind was formed for opposition. His faculties, like his face, were most scientifically arranged for a grievance. He was querulous and inculpatory from nature; literally, he was not to be comforted: hence he opposed every thing.

He opposed the abolition of the slave trade. In the very early part of the year 1806 a bill was before the Lords, for restraining the importation of slaves into our colonies. "Go to!" exclaimed Lord Eldon; "you want to destroy British shipping; you want to do away with a nursery for British sailors: by and bye you will not be able to carry an article of any sort into the foreign market." It was upon the 5th of February, 1807, that the second reading of the bill, which it was the glory of the Whig administration of 1806 to propose, for the abolition of the slave trade, was moved by Lord Erskine. Here is another incarnation of the wild spirit of change, thought Lord Eldon. "Has not this trade," said he, "been sanctioned by the wisest lawyers, by the most learned divines, and by the most unexceptionable statesmen? Have not Mr. Locke and Lord Somers sanctioned it, when they said nothing against it?" "Heavens!" indignantly exclaimed Lord Holland; "your argument would destroy all sort of improvement. Sir Thomas More—Erasmus—opposed the Reformation. Was the Reformation unnecessary? The attention of Locke and Lord Somers was never called to the subject. They sanction slavery indeed!"

After the peace in the year 1815 an attempt was made, by a patriotic member of the House of Peers, to ascertain what steps the government took to gain the concurrence of other powers towards the extinction of the slave trade. But ministers chose

to be silent. And again, about the same time, when a bill was before the House of Lords, which was intended to prevent that application of capital to a trade in slaves, which it was probable the restoration of peace would be the means of facilitating, the Lord Chancellor opposed, and with fatal success, so beneficent a measure.

I turn next to the chapter of toleration. Some of the most pathetic appeals ever delivered in parliament in favour of this principle have emanated from Lord Eldon. But it was, up to the latest moment of his official existence, a sort of abstract adherence, rather than any practical devotion, which he entertained for the cause. His worship of the principle was the purer perhaps for having been unaccompanied by any visible demonstrations of its ardour. To the Catholics he has been an implacable foe; they gained nothing but when he was asleep. Lord Grey once thought of opening the highest military and naval offices to Catholic ambition. Lord Eldon was seized with a fever at the thought of such a change. The army and the navy—oh!

> ——— "Let him lean awhile
> With both his arms on those two massy pillars
> That to the arched roof give main support;"

and all his apprehensions would be at an end! In 1817 a bill, conceding Catholic Emancipation in the fullest sense of the term, so far as these services are concerned, was agreed to before his face, and he was dumb and acquiescent. But

do with old popery as you like; have you no bowels of mercy for Unitarian dissenters? They are your flesh and blood; they have your hatred of transubstantiation: as yours, auricular confession excites their choler. What have they done, that you oblige them to talk for half an hour, once in their lives, like Trinitarians? Scourge them for not believing as you do; nail up their conventicles; persecute them outright; but to make them fall down upon their knees, and compel them to repeat *thrice* what they are disposed to say only *once*, is, on the face of it, so shabby, so unnecessary, so unproductive even to your coffers, that one could hardly believe you were in earnest, except there were the best reasons for the opinion. And have not church and state—have not Lord Liverpool and the Archbishop of Canterbury—been ashamed of such child's play? And did they not combine to give it up? and was it not the pleasure of our sovereign Lord Chancellor,

> ——— "Who, single combatant,
> Duell'd their armies, rank'd in proud array—
> Himself an army"—

that their combination should be in vain? Have not the Unitarians, over and over again, petitioned parliament for the boon which Jews and Quakers have so long enjoyed, to celebrate their marriages in their own way; and have not those petitions been rejected, constantly and piously, by Lord Eldon?

Turn we now to the recent history of the cri-

minal code. It is perfectly disheartening to see that the patent for a great and beneficent improvement in the laws of criminal justice in England, after which a Romilly had toiled for so many years in vain, should have been, by the especial favour and grace of Lord Eldon, conferred on one of the shallowest pretenders that ever passed off as a statesman at any period of our history.

Sir Samuel Romilly, at first, surprised one part of the legislature into a compliance with the bill (afterward the 48th of Geo. III.) by which the punishment of death for the offence of stealing from the person was abolished. But when he attempted to follow up this good beginning by measures of corresponding sound policy, the cry of "innovation" resounded from the woolsack to their lordships' bar, until the very figures on the tapestried wall of their illustrious habitation almost grew pale with affright. Six times did the House of Commons agree to a bill for abolishing capital punishment in the case of stealing from shops and warehouses under a certain amount, and six times did Lord Eldon's resistless influence succeed in crushing that measure.

It would be quite outrageous to impute to a man of the late Lord Chancellor's really mild disposition a spirit of sanguinary and gratuitous severity. But it is by no means necessary that a man should be intentionally bad in order to be thoroughly so. Lord Eldon was in love with antiquity; he made vows of eternal constancy to "the

things that be." In the blindness of his adoration he forgot reason, and the consequences to which his rash chivalry might expose him.

It is almost painful to observe to what straits he was reduced, when forced to state the grounds of his uniform opposition to the melioration of the criminal law. He clung to the old system with an obstinacy that only wanted a good cause to become heroism. Vehement eloquence carried all the outworks of his garrison a dozen times over; he starved longer than any human being could upon a stint of argument and reason; and though the roof of the venerable fabric was tumbled about his ears, still he would not hear of any terms. When the bill for removing the penalty of death for the offence of stealing from a shop under the value of five shillings, which, as we have stated, had been six times sanctioned by the House of Commons, was first presented to the Lords for their concurrence, the late Lord Chancellor declared against it. "You have already committed enough of mischief by the 48th of Geo. III.; for God's sake take care what you do! The prosecutions are now twenty to one as compared with what they were under the old state of the law: here is a bounty given to crime, and crime accordingly increases." Thus the bill was resisted, a measure of great and salutary efficacy postponed for many years; and all because there was a gentleman on the woolsack who *would* not see that it was the number of prosecutions and not of crimes that increased; for where one man

could be got who would demand the penalty of death for the felonious abstraction of five shillings' worth of property from his shop, twenty men were found to call for the lesser punishment of imprisonment or transportation for the same offence. Twist his words as you please; survey them even through the partial prism of his own explanations, and you discover only one principle—that every offence ought to be visited with death. In the discussion on the Frame-work Knitters Bill, on the 27th of February 1812, ever memorable for having been the theme of an ardent burst of eloquence from Lord Byron, the Lord Chancellor deliberately declared that the punishment of death was a salutary terror on the minds of offenders. But it has not remained for me to draw this conclusion, and cast it in the face of Lord Eldon. The accusation stands recorded against him upon far higher authority. On the 2d of April, 1813, the bill which has just been alluded to, for altering the state of the law respecting the offence of stealing in shops, was pressed upon the House of Lords with a degree of force which no reason, at all events, could resist. A small section, if I may be allowed the expression, of the debate which arose upon that bill, will accomplish the object I have in view far better than the most elaborate description of that celebrated scene:—

The *Lord Chancellor*, in the course of a lengthened speech, took occasion to ask their Lordships, whether it was an encouragement or discourage-

ment to crime, in the eyes of any man of common sense, when he knew that, instead of being hanged if he committed it, he could, at the most, be only transported."

Lord Grenville boldly and pointedly declared, that if the argument of the noble and learned lord was of any avail, it would warrant the conclusion, that it would be advisable to enact at once the law of Draco for every offence, however trifling.

The *Lord Chancellor*.—"I must interrupt the noble lord, to assure him that I never made the assertion that the punishment of death is fit for every offence."

Lord Grenville.—"I do not impute any such *assertion* to the noble and learned lord. I only maintain, that if the noble and learned lord's *argument* is of any avail, it necessarily leads to this conclusion. Does he not assert that capital punishment is in itself productive of salutary dread? Does he not triumphantly urge that, to deny the efficacy of capital punishment in deterring men from the commission of crimes, is repugnant to experience and common sense? Does he not, following the same line of argument, ask, whether the adoption of the present measure, by taking away the capital part of the punishment, would prove an encouragement or discouragement from the commission of the offence in question, obviously inferring that the former would be the consequence? Does not his argument necessarily infer that the

best mode of preventing *any* offence would be to constitute it a capital crime?"

It was quite necessary that charges so striking, so peremptorily urged, should be met with all expedition; and, accordingly, the Lord Chancellor rose. "I rise to explain that I am misunderstood if it has been supposed that I have expressed any opinion as to the propriety of enacting the punishment of death for every species of offence." Why, nobody had said that he did express, or even entertain the opinion. But all the world saw, and Lord Grenville reiterated once more, that the principle and the reasoning of Lord Eldon must inevitably lead to this conclusion—that every offence ought to be visited with death. The bill was rejected. It only remains to be told, that on the 2d of June, 1818, it was brought before their lordships for the sixth time, recommended on each occasion by the approbation of the House of Commons, and *rejected*. The proceedings which took place in the House of Lords on that day with reference to the measure, are comprehended in a few lines; but with what matter for serious meditation are they pregnant!

"*Lord Holland* moved the second reading of the Privately Stealing in Shops Bill. The subject, he said, had been so much discussed, that it was unnecessary for him to urge any thing in support of the present measure. Many who had been originally adverse to it, had altered their opinion.

"The *Lord Chancellor* declared that he had not changed *his* opinion. Had he been induced to alter it, he would say so: but as that was not the case, he must oppose the bill.

"The question that the bill be read the second time was put and negatived."

CHAPTER VI.

SINGULAR CHARGE AGAINST LORD ELDON — HIS INJURIOUS INFLUENCE—CONCLUSION.

It is time that I now advert to a very peculiar part of the political history of Lord Eldon. It will not be forgotten, that during the whole course of the Addington administration, from 1801 to 1804, Pitt and Fox were by degrees approximating to each other. The period was, as every body agreed, one which called for all the wisdom that could be infused into the national councils. It was growing more evidently practicable every day, as Addington blundered on, that the great minds which hitherto wasted themselves on unprofitable party feuds, could be formed into a coalition of strength which the country now more than ever required in its government. When we think of the condition in which we now are with our bill of eight hundred millions to pay; one pound sterling—twenty shillings of solid money for every human being that breathes on the surface of this earth; when we think of this condition in which we are, and remember what we *might* be, if the wisdom of the great men of 1804 had been combined in the same administration as it was thought would have been the case, what language of reprobation is unjust in its application to those

who wickedly interrupted that union! When Mr. Pitt took office in May 1804, without Fox or the Grenvilles, the reason which was given for this arrangement to the universal people who called, in wonder and disappointment, for explanation, was, that the King entertained a personal repugnance to Mr. Fox. No man that is not disposed to do injustice to his late Majesty, will deny that he was ready to sacrifice his private feelings to his sense of public duty. But perhaps it was represented to his Majesty that Mr. Fox could be dispensed with; that he was a reformer; that his notions about the security of the church were unorthodox: and, perhaps too, the admitted weakness of the royal intellect at the time, may have rendered it more susceptible of the apprehension of danger. However this be, I only propose at present to join to the foregoing statement some facts with which they appear to be connected; and from a consideration of the whole, the reader is left to form his own conclusion.

On the 9th of March, 1804, Lord Eldon distinctly stated to the House of Lords, that he had had an interview with the King: that there was no suspension of the royal functions, and that his Majesty was in a condition to warrant him (the Chancellor) in putting the great seal to commissions. Let us now come to the beginnning of the year 1811, when the King's malady returned. There were many discussions on the subject. In the course of one of these debates, Earl Grey excited a very great

sensation, by openly declaring that he must have some better proof of the state of the King's health than the word of Lord Eldon; for he remembered that the noble lord had in his place, in 1804, stated that there was no suspension of the royal functions at a moment when, from the evidence of the physicians, it appeared that his Majesty was still labouring under the effects of his malady. Lord Eldon was very much agitated and affected by this charge. However, he most fervently appealed to his character for integrity; solemnly alleging the love and affection he bore his sovereign, and said, he would sooner die on the scaffold, than desert him. "Let me only see my sovereign well, and then let me depart in peace. I cannot on this affecting occasion take my heart out of my breast, and forget that my most gracious master is a man; let those who can do so, do so; I am not made of such impenetrable stuff; I have not nerve or apathy sufficient for such a stern act of duty. I will judge, as I have done, for myself of the state of my sovereign's health. I pay no attention to the opinion of physicians respecting this disorder. The restoration of my sovereign to health depends on other causes than medical aid. In the language of the Scriptures, if it is the pleasure of God that there should be light in the royal mind, light there will be; I say no more at present, than that there is a material amendment in his Majesty's health; and as I hope for salvation, this is the truth." The propriety, and even de-

cency of such rhapsodies as this, in any political assembly, cannot be easily made apparent, I should think. They were condemned and ridiculed without mercy; and such was the general impression to which they gave rise, that Earl Grey was induced to follow up the threat to a practical accusation. The bill appointing a regency had been agreed to; it only remained that the individuals who were to form the council should be nominated. When the name of Lord Eldon was proposed, Earl Grey rose, and said, that nothing should make him consent to the appointment. "I arraign," said he, "the noble lord of an offence little short of high treason; neither his agitations, nor his fears, nor his rank shall deter me from accusing him. What is the punishment due to him who, in the full conviction that his sovereign is incompetent to act, and knowing him to be under personal restraint, should come here and tell us that there was no necessary suspension of the royal functions: who under these circumstances should, in his Majesty's name, and under the pretext of his Majesty's commands, put the royal seal to acts which could not be legal without his Majesty's full acquiescence? I say it is treason against the King and the Constitution. I hope your lordships will not suffer such a man as this to be included in the council that is to report on his Majesty's recovery." The acts here mentioned were sixteen in number, and one of them conferred a very considerable grant of lands to his late Royal Highness the Duke of York.

Lord Eldon defended himself with warmth: he said he was not bound by the opinion of any physician —that he had seen the King, and formed a judgment for himself of the state of his Majesty's disorder—that he had acted with the best intentions, and that he was sure he stood acquitted in the sight of God. He lastly complained that he should have been chosen out of all the ministers of the time as the object of attack. But Earl Grey reiterated the charge, and darkly alluded to the coincidence which appeared to exist between the interruption of the negotiation going forward between Pitt and Fox, and the date of the alleged convalescence of his Majesty. In fine, an express motion was made by Lord King to exclude the Lord Chancellor from the council, as an improper person to be in it, and it was pressed to a division. There were no fewer than fifty-four peers who voted for the exclusion, but their opinion was overruled by a considerable majority. The impression against him still survived in the breasts of a few. It was afterwards embodied in the form of a protest, and solemnly recorded in the journals of the House.

There is no precedent in the annals of parliament for such a curious document, nor will the interest which it is calculated to excite be abated, when we refer to the names by which the matter of it is authenticated and approved.

"That whilst his Majesty was in a state to require medical guidance, and subject to personal control, the said John Lord Eldon, as Lord High

Chancellor of Great Britain, did receive his Majesty's pleasure in divers important matters of his Majesty's regal government, and did, in virtue of his said office, perform various public acts, requiring the sanction of the King's public authority. Because John Lord Eldon having so conducted himself, is not in our judgment a person to whom the sacred trust of acting as one of her Majesty's council, in the care of his Majesty's person, and in the discharge of the other most important duties by this act committed to the said council, can with propriety or safety be committed.

(Signed), Grey, Lauderdale, V. Holland, Erskine, Rosslyn, Derby, Ashburton, Ponsonby, Ponsonby Imo."

There is no calculating the amount of improvement which has been hindered from being effected in the civil and political institutions of our country, in consequence of the protracted possession of the chancellorship by such a man as Lord Eldon. The office is one which imposes on the holder of it the responsibility of taking care of the laws. The Chancellor is the official ranger, as it were, of the statutes: it is he that must answer for the law being kept in a wholesome, efficient state, that it is always in right order, and that suitable repairs and improvements shall not be withheld when the change of times, the alteration of customs, and the springing up of fresh wants require them. Let those who praise Lord Eldon to the skies for his talents and his industry, his wisdom and his learn-

ing, let them point out the single instance of the triumph over abuse which all his splendid faculties and his omnipotence have achieved. Where does his wisdom shine out? Where is Mr. Peel's proof of the political services of his brother-in-law's patron? Quibus indiciis? Quo teste probavit? On all the great questions of international policy, on every topic of domestic administration, it is hard to say whether his unusual ignorance upon some, or his crude knowledge upon others, most exposed his unfitness for the consideration of such matters. It was in spite of him—it was by conspiring against him, that ministers and the King effected that change in the commercial policy of the country, which science demonstrated to be necessary. But let that pass: in his own element was he a whit better? Did his prejudices relax so far as to suffer, without a shock, the approach of a correcting hand even to those abuses of which he himself had often, but it is firmly believed, most unwittingly complained? They did not. He began his office with all the sanguine promises of a determined enemy of abuse. He declared the bankrupt laws to be the disgrace of the country; the bankrupt's estate was little more, he said, with the fervour of indignant virtue, than a stock in trade for commissioners, assignees, and solicitors. Here was what he said of these laws: where is what he *did* to remedy the foul abuse? There is not a practical defect in the proceedings of the court of Chancery that he has not denounced, and permitted—that he has not promised

to correct, and yet suffered to flourish. The complicated procedure of the court fell under the weight of his severest reprehension—he did nothing to improve it: the prolixity of counsel was his torment—he declared on one occasion that the tortures of the inquisition were at times a paradise, compared with the judgment-seat in Chancery, by reason of the tedious oratory of the gentlemen of the long robe—he never suggested a remedy for the evil. He struck at the principles of some of the doctrines of the court, those respecting equitable waste, for instance, but an act of parliament to cure the law was out of the question. "It is absolutely necessary," said he, "that it should be perfectly understood that charity estates all over the kingdom are dealt with in a manner most grossly improvident, amounting to the most direct breach of trust." But all this never meant that charities should be inquired into; that the malversation of benevolent funds should be exposed; that the poor should be forthwith righted, and the humane intentions of departed piety and patriotism should be vindicated. No. The court of Chancery, in Lord Eldon's view, was the only source of redress for these abominable evils; no reform could be good that was not of Lord Eldon's making: Abraham would not let any one make him rich but God—the Chancellor would not let any body protect charitable estates but himself. Hence his horror of Mr. Brougham's bill in 1818, which, after a most perilous ordeal in the House of Lords,

came off with only half its limbs—half its means o doing good.

But allow for politics, allow for pique, allow for personal objections which will sometimes make us confound the intrinsically good measure of a particular individual with the individual himself; allow for all this in pity to poor human nature, and let us then ask, why did not Lord Eldon do something for the science of the law? why did he not attempt to simplify, to render intelligible, to make consistent, to diminish that enormous chaos into which equity has degenerated? The state of the existing law on copyholds alone would be enough in itself to blast the reputation of any judge in Christendom.

If we next consider those cases in which Lord Eldon has ventured upon any new principle, where, in fact, he has been left altogether to himself, we find him uniformly inclining to the least liberal and enlightened view which the subject gives him the opportunity of choosing. We find also manifested in the decision, a remarkable want of that prescience and circumspection which have enabled great judges to make their determinations in particular cases, propositions of almost universal application, and happily predestinating the fate of many a yet unborn dispute, that would otherwise have produced ruinous litigation. To give the name of "principle," indeed, to a decision which dies with the very case that gave it birth; which is, at best, but an expedient for a particular emergency, would

be only a profane use of terms. The doctrine of Lord Eldon respecting the protection of literary property is an example of the justice of these remarks. Up to a recent date, the injunction of the court, when sought for against the invasion of literary property, was usually obtained as a matter of course. Lately, however, it has been laid down by Lord Eldon, that before he grants the injunction *he must satisfy his own mind* that the work in question is free from a libellous and immoral tendency, and upon this doctrine he has acted on more than one occasion. Thus has Lord Eldon, by a most unconstitutional and mischievous stretch of the power of the court, decided a question, which, to say the least of it, was very doubtful, and which, from its great importance, should have been determined only after solemn argument, and that too by the *regular* tribunal, namely, that the statute of the 8th of Anne, the great charter of literary rights, does not extend its protection to works of an immoral tendency. But Lord Eldon goes even farther than this; he assumes the sacred functions of the jury; he has made himself the umpire to determine whether or not a work is libellous, and that determination of his becomes conclusive. But the manifest inconsistency of his proceeding is this—that although he has pronounced a particular production to be libellous and immoral, he has never been known to send it to the attorney-general, as used to be the case with judges in former times, for the purpose of being prosecuted. No; but by a most prepos-

terous sort of process, he chooses between plaintiff and defendant, the most guilty and polluted party; *him* he encourages, to *his* dishonesty he gives an impulse which sends, with as little delay as possible, the poisonous publication into the remotest corners of the country.

But these are small evils: they dwindle into imperceptible specks, compared with the devastations produced by the suspensory operations of Lord Eldon's indecision. Whilst the court of Chancery was raging; whilst, second only to an intestine war, it facilitated the usurpation of property, and abridged so materially the amount of human happiness, it was believed by the good Chancellor to be only fertile of blessings to the country. Why else should he have so long opposed himself to an inquiry into the abuses of the court? Why, when his slow consent was reluctantly extorted to an investigation at last, did he strive to make it a friendly one, providing that a batch of his own dear masters in Chancery should be at the head of the inquisition on the first occasion, and that he himself should be the grand-master on the last? "Oh! it was the system, not the man, that was in fault," exclaims the host of interested partizans. The system! whose was the system? Who had the fee-simple of it, to do with it as he pleased, but Lord Eldon? Away with such distinctions! or if you will force us to facts, we shall soon set the issue at rest for ever. The illustration of the late Chancellor's judicial perfection which is here adduced, proceeds from no hasty

pamphleteer, no angry suitor, or disappointed practitioner; it is the statement of a man upon his oath, that man a member of the House of Commons, and the solicitor in the causes; that statement made in the presence of Lord Eldon's dearest friends and relations.*

In the year 1806 a gentleman named Garthshore, who was one of the Lords of the Admiralty, became insane, when a commission of lunacy was sued out. He died the same year, and as his property was under the control of the court of Chancery, an amicable suit was instituted, having for its object to ascertain what claims existed against that property, in order to their being satisfied, and the residue paid over to those who were entitled to it. A gentleman of the name of Husbands appears before the master in Chancery with a claim. While this claim is undergoing inquiry, Mr. Husbands dies, and it is taken up and pressed by his widow. On the 4th of June, 1810, the master makes his report that the sum of 2,041*l.* 18*s.* 8*d.* is due to Mrs. Husbands. But Garthshore's friends contest the grounds of the demand, and the Chancellor at last sends the report back to the master to revise it. This report, so sent back, remains in the master's office two years and four months, when he returns the report, stating that he was right on the first occasion, and that the sum now due is 2,217*l.* 8*s.* 8*d.* This second report

* The gentleman alluded to is W. Leake, Esq. M. P., who was examined before the commissioners for inquiring into the abuses of Chancery.

is then discussed at the greatest length in the court, and, as soon as it was concluded, the Chancellor declared that he would give judgment in a few days. So far his lordship cannot be charged with any part of the delay, although full ten years had passed since the claim was put in by Mr. Husbands. We are consequently arrived at the year 1816, and it was in the November of that year that the Chancellor promised his judgment in a few days. The few days passed away, and many more to the back of them, and no judgment appeared. The gentleman who came in for Garthshore's property now dies, but by his will he set apart a sum sufficient to cover this claim in case the Chancellor should give a decree against him. Two years before this, the poor widow, who had been absolutely bowed down to earth by poverty and disappointment, fell a victim to her sufferings, leaving two children, now orphans, with no other legacy than their right to upwards of 2,000*l*. The year sixteen concludes, the year seventeen passes over, the year eighteen follows it, and nineteen and one-half of twenty are gone, and alas! no judgment can be wrung from the inexorable Chancellor. The wretched orphans meantime are living on the charity of the solicitor in the cause, and he, worthy man, having a large family of his own to engross the fruits of his earnings, now tired and disgusted with the delay, is forced to the hard measure of sending the poor orphans to the workhouse. In this state of things Mr. Leake, who was the solicitor opposed to the

claims, feeling anxious that the matter should be closed one way or another, proceeds to the hazardous step of addressing a private note to the Chancellor. The following is the copy of this note. "Erskine *v.* Garthshore.—The solicitor for the representatives of the parties in the cause, is desired on their behalf humbly to entreat the Lord Chancellor's judgment in the above cause. The subject matter in question came on to be heard before his lordship in the shape of exceptions to the master's report on the 20th and 22d November 1816. ——22d May, 1820."—In two or three days the Lord Chancellor was pleased to return the following answer: "In the cause of Erskine *v.* Garthshore the papers were, long ago, taken from my table. I have desired Mr. Hand to make due inquiry for them, and understanding from your note that I have been mistaken in supposing that that cause was arranged, as soon as I get the papers I will dispose of it. Your's, with much respect, Eldon." This is all the system, not the man. We have now got as far as the year 1820; we have seen all the original parties go to their graves, and we have seen the two orphan claimants put into the workhouse, after having been supported upon charity for several years. What is the next fact that we have to contemplate? Mr. Leake shall state it. "I have only to add," he says, "that notwithstanding the promise contained in his lordship's note, the cause still stands for

judgment in his lordship's paper, and is still undisposed of!" The day when this was asserted upon oath was the 3d of August 1825, more than five years after the date of Lord Eldon's promissory note. Mr. Leake concludes by saying, that he believes the orphans died in the workhouse—peace be to them! ten thousand times happier were they in their early death amidst poverty, than if they had to linger out an existence of some thirty years within the walls of a dungeon, for a contempt of the high court of Chancery. But these things cannot be dwelt upon.

And is it not dreadful to reflect, that had the opinions of the late Lord Chancellor prevailed, had not his judgment been overruled by his wiser and more enlightened colleagues, we should be witnesses at this hour of all the abominations of the slave-trade—the sanguinary spirit of the criminal code would still be active—charity funds, the funds of the indigent, would still be consumed by powerful peculators—and the Augean court of Chancery would be still to be purged of its uncleanness. Every project of improvement was sure to be countermanded by Lord Eldon. Look at his retainers and expectants! to a man they were the sworn foes to all innovation, that which was unexceptionable included. If you want to ascertain the disposition of a patron, you have only to watch the conduct of his dependants. They began with an outcry against change; when

every one laughed at the threat of Wolf, the object of their tactics was to mar and curtail, and check the efficacy of the measure which they could not destroy.

With the private life of Lord Eldon I have nothing whatever to do except in so far as it may bear on the public character of the functionary. The chancellorship is a very dignified office, and from time immemorial, up to the era of Lord Eldon's elevation, it was usually sustained with a degree of splendour which would surprise the modern generation. I inquire not into motives, but facts are fair game; and whether it be mere scandal or truth, the story goes, that once upon a time Lady Eldon fell ill, and continued to be indisposed on the first day of a certain term. It became necessary that the Chancellor's breakfast to the judges should be held in Lincoln's Inn Hall, and the benchers of that ancient society were all so much pleased with the condescension of the Chancellor, that they insisted upon paying the expense. The point was ruled: Lord Eldon depart indeed from a precedent? the very matting of the hall would mutiny against him—the Chancellor's breakfasts were, ever afterwards, until the famous resignation, celebrated at Lincoln's Inn, at the cost and charges of the reverend society of that place.

It is very proper that a judge should lead a life of dignified retirement—the due administration of justice requires it. But it is not necessary, it

is not even justifiable, for a man in a judicial office so wholly to estrange himself from society as to be utterly ignorant of what passes in it, to be a perfect stranger to its prevailing sense, to the alterations of habits and manners which it experiences. No doubt can be entertained that it was in consequence of carrying the principle of non-intercourse with the world too far, that Lord Eldon was so long insensible to the necessity of altering the policy of our laws and institutions. He had no acquaintance with the state of the institutions of other countries, and he had no notion of the rapid improvements that were going forward in his own. His studies in modern literature were confined to the Gentleman's Magazine, or the report of a debate in the House of Commons on the abuses of the court of Chancery.

The chancellor enjoys an extent of patronage which exceeds that possessed by any ten individuals in the kingdom: he holds the lock and key of church preferment; he is the only saint in the protestant church whom the inferior clergy and the young bishops invoke in their prayers. Then the whole administration of the law is virtually under his control; he indirectly appoints to all the judicial offices in all the courts. It was very well known in the profession, that no man ever filled an eminent station in this country to whom a rival was so intolerable as to Lord Eldon. He felt the greatest possible relief, when Lord Ellenbo-

rough, a man of undoubted genius, was removed from that arena where the Chancellor wished to reign supreme. Lord Ellenborough had been raised to the peerage by Addington, but after him no judge was admitted into the House of Lords as long as Lord Eldon could prevent him. The chief justices of the King's Bench and Common Pleas, who had been, with very few exceptions, usually advanced to the peerage, were, during Lord Eldon's administration, obliged to content themselves with the honour of knighthood in common with the mere law-officers of the crown. It was observed too that the same industry which other purveyors of public functionaries employ to find out talent and learning, was exercised by Lord Eldon in singling out mediocrity and passiveness of spirit. These were the qualities that attracted the late Chancellor's favour; and to the thousands who could never comprehend the motives of Lord Gifford's so sudden elevation, this exposition of Lord Eldon's peculiarities may be satisfactory. Mr. Wilberforce very truly declared, that from the competition of Lord Gifford the late Chancellor had nothing to fear. Of late years, therefore, Lord Eldon was seen to reap the fruits of his own principles, for he was in the unparalleled situation of being without that learned assistance which chancellors in former times could always command in the House of Lords. But his lordship's principle of legal promotion struck deeper than this, at public

advantage. The system of translating judges had been always condemned as being inconsistent with the independence of the judicial character. It is a fact, that during the last twelve years of Lord Eldon's administration, a greater number of promotions from office to office on the bench appear to have been made, than took place altogether since the accession of the house of Hanover. The obvious tendency of such a system must be to turn every one of the judges into an expectant, and perhaps in some instances into a suitor for a farther supply of crown favour. The influence indeed which the Chancellor is enabled to exercise over the minds of those who are connected with the administration of the law in all its branches, is co-extensive with the practice of the law itself. He appoints directly, and without control, to the following offices, most of them being situations of very considerable emolument.

One Accomptant General.
Eleven Masters in Chancery.
One Clerk of Reports.
Two Entering Clerks.
Twenty-four Cursitors.
Seventy-four Commissioners of Bankrupt.
One Register of proceedings under Commissioners of Bankruptcy.
Five Commissioners of Lunacy, who are permanent, and to whom the Chancellor usually

adds, when they are called on to act, several others.

One Clerk of the Letters Patent.
One Examiner of Letters Patent.
One Purse-bearer.
One principal Secretary.
One Receiver of Fines in the Cursitor's Office.
Five different Secretaries.
Ushers, Serjeants, &c. &c.

What is pecuniary emolument compared to such an extent of patronage as this? A great deal of difference of opinion appears to be entertained respecting the salary of the Lord Chancellor. The actual amount has undoubtedly been overrated, and it is probable that fifteen thousand a year would be the fair sum to consider as the average receipts of Lord Eldon from all the offices of which he had the enjoyment for so unexpectedly lengthened a period. A very considerable part of this sum arose from fees in bankruptcy, and it was not to be expected that his lordship would so readily fall in with the project which had been so often mooted in parliament, for separating the jurisdiction in bankruptcy from the office of chancellor.

So much for Lord Eldon himself; now for Lord Eldon's family. Mr. William Villiers Surtees, a relative of Lady Eldon's, enjoyed two situations; he is a commissioner of bankrupts, and a cursitor of Chancery. The Honourable W. H. Scott, son

of Lord Eldon, had four places under his father: 1. He was Register of Affidavits. 2. Clerk of the Letters Patent. 3. Receiver of Fines. 4. Cursitor for London and Middlesex. Upon a moderate computation, these offices yield to Mr. Scott at the least £3,500 a year. This is not all—an act of parliament exists granting to this very Mr. Scott the reversion of two other offices now in the possession of Lord Thurlow. The first of these is the clerkship of the Crown in Chancery; the second is the office for the execution of the laws and statutes concerning bankrupts. The former produces about £1,500 a year to the present holder; and with respect to the latter, it has been proved, by a return lately placed on the table of the House of Commons, that the net sum which Lord Thurlow received out of the gross receipts of fees in bankruptcy matters for the year 1826, exceeded thirteen thousand pounds. What an ill-used man Lord Eldon is! What a miserable return does that country, upon which he had so long imposed his services, at last yield him and his descendants! All this under-current of emolument, which is continually flowing into the Eldon family, escapes observation; and for what did this junior patriot obtain so rich a reward? For nothing. The offices he possesses—the offices that are to revert to him—are only not sinecures, because they require of him the arduous duty of going for his money every quarter. For no other earthly purpose need he

turn from his career of pleasure, so far as his offices are concerned.

Where is the splendid act of charity? where the monument of private benevolence—where the example to stimulate the sluggish humanity of the opulent, to which Lord Eldon has sacrificed any portion of his enormous gains? To what institution for the advancement of science and letters, to what society for any sort of improvement has he lent the sanction and influence of the Lord Chancellor's name? What asylum for succouring infirmity, disease, and distress, has to acknowledge his periodical bounty? And yet there was not a man whom he was in the daily habit of seeing around him, who did not add to the honours of his peerage the title of president or vice-president, governor or officer of one charity or another. No, no; Lord Eldon could not assist at benevolent meetings; but he never failed to attend the revels of the Pitt Club. He could not drink "Success to the cause of Charity," but he could toast "Protestant Ascendancy," in the name of a man, who he knew in his heart and soul despised the sentiment which it imported.

I have heard, however, that there are instances of acts of kindness by Lord Eldon which cannot but confer upon him the greatest possible credit. A very upright and learned person being under embarrassments in consequence of imprudences not his own, consented to listen to proposals for raising a fund from amongst his friends to extricate

himself from these difficulties. When Lord Eldon was applied to, he desired the managers of the subscription to do the best they could elsewhere, and to return to him when they had done so. The list was ultimately brought before him, and it appeared that the amount of the contributions fell considerably short of the sum that would be required. His lordship instantly supplied the difference.

I have thus endeavoured to give as exact an estimate of Lord Eldon's public character as I could. There never was a judge since England knew what equity was, who was, I believe, more anxious to administer equal justice between suitors than the late Lord Chancellor. What motive indeed could he have for being otherwise? He was a consummate practical lawyer. He was the pleasantest superior of a court that ever was known to the bar of this country. He conducted himself towards every barrister that addressed him as if he were in habits of personal friendship with him. But the unhappy distemper of his mind was doubt, which neutralized the value of all his best qualities. It is only to be lamented that the virtue of hesitation should have forsaken him on the woolsack. He would not have decided a question involving the value of 5*l.* on the bench with the precipitation with which he consigned a queen to infamy.

And it was an anomaly in the eyes of those who best knew his lordship, that one so courteous to persons, one who had so many faults of his own to

correct, should exercise the function of critic upon the failings of others with so much severity. He never made a public allusion to Sir J. Leach without a sneer or an aspersion; and indeed it was well known to all lawyers, that appeals from the Vice-Chancellor's court to that of the Chancellor, were inordinately numerous, encouraged by the notorious tendency of his lordship to shake, and, upon any pretence whatever, to overturn the judgment of the inferior court. Attacks upon his judicial conduct he was known never to forget; he generally took an opportunity of retorting upon his censors, and once, in the case of Mr. Abercrombie, he lost, in the vehemence of his resentment, all sense of the dignity of his office and the constitutional respect that was due to a member of parliament. Indeed, when we reflect on some passages of the latter portion of his official life; when we think of the grave silliness of his application to a provincial pedagogue to grant a holiday to a set of children who had been so discriminating as to receive his lordship with acclamation; when, above all, we remember the effeminate weakness, the anile garrulity which marked his last sittings in the court of Chancery, we are humiliated to think that so little wisdom and philosophy should have been gleaned by Lord Eldon from a life of such varied experience, for the regulation of his heart.

Those who are acquainted with his estimable qualities will ever deeply regret that he should have

been so insensible to the opportunity, one of the most favourable that ever was administered to a human being, of raising a lasting monument to his virtue. If he had but lent himself to the promotion of that great improvement in the institutions of our country which the enlargement of its moral structure imperatively demanded, he would have purchased for himself a length of honourable fame which the greatest men of English history might reasonably envy.

THE END.

James Whiting, Printer and Engraver to His Majesty for the Prevention of Forgery, Beaufort House, Strand.

00037369

Digitized with financial assistance from the
Government of Maharashtra
on 02 April, 2016